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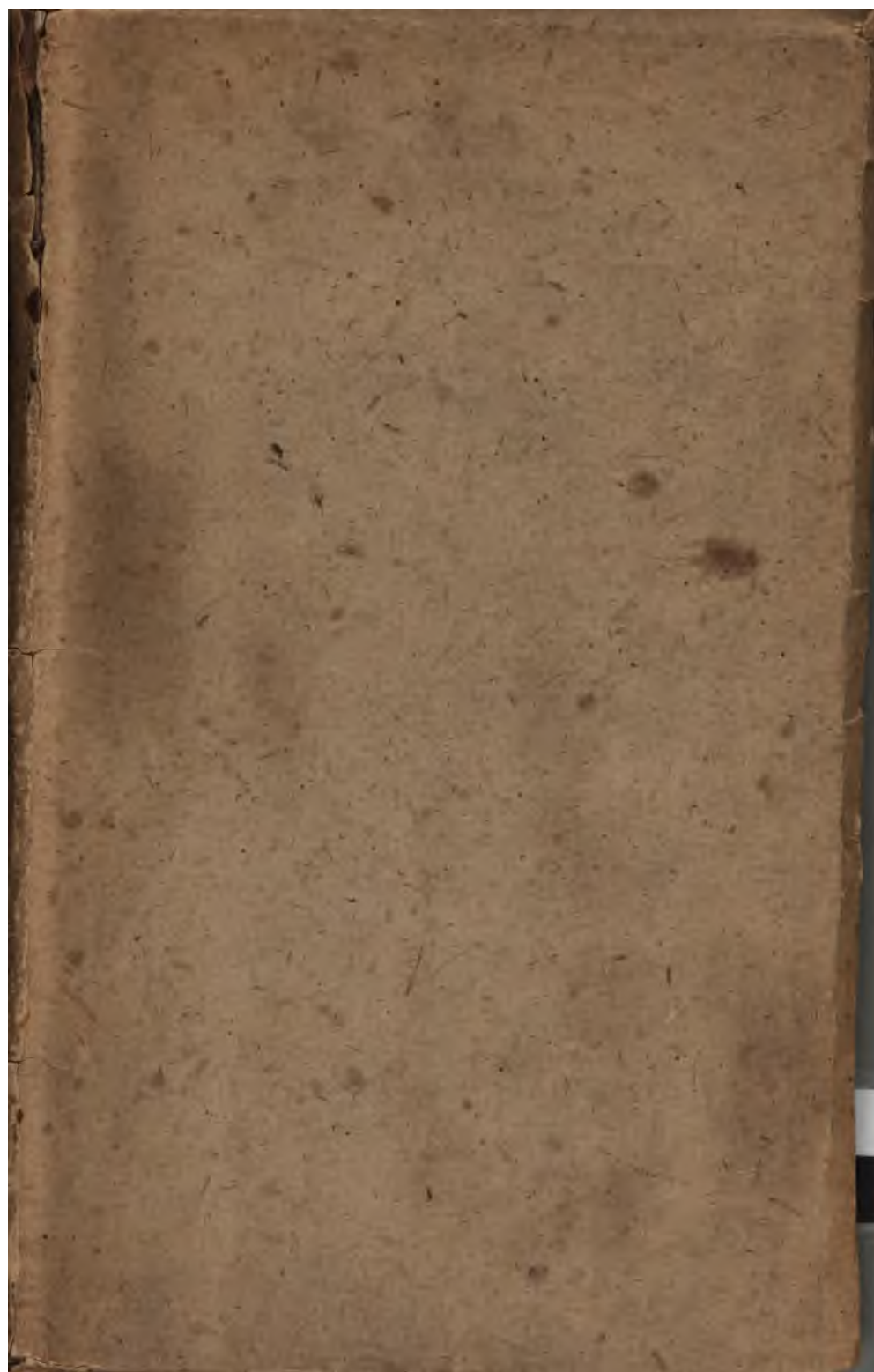
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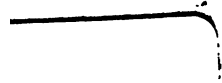


Richard Warner - 1841/1842

Letter to J. P. M. (1841)



100-100-100



Richardson - 1840

1840 - 1841



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MEMOIRS

OF THE LATE

GEORGE R. FITZGERALD,

AND

P. R. M'DONNEL, Esqrs.

INTERSPERSED WITH

A N E C D O T E S,

**Tending to illustrate the remarkable
Occurrences of their Lives,**

PARTICULARLY

Those late Transactions of the County Mayo;

WHEREIN

**THOSE GENTLEMEN WERE PRIN-
CIPAL ACTORS.**

BY A GENTLEMAN OF THE CO. MAYO.

SECOND EDITION, WITH ADDITIONS.

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L I V E S

OF THE LATE

GEORGE ROBERT FITZGERALD,

AND

P. R. M'DONNEL, Esqrs.

THE life of a man, who died as George Robert Fitzgerald did, in his prime, with all the advantages of birth, fortune, education and talents, must be an object of particular interest to the public. Curiosity leads us to enquire into the minutest circumstances, that could contribute to bring a man of so much consequence, to so untimely an end.

The unhappy wretch, who justly suffers for having offended the laws of his country, and known only through the multiplicity of his crimes, attracts notice; and all ranks become desirous of knowing the nature of those crimes, the manner of committing them, and the gradations by which he could be wrought to the perpetration of them; that they may guard themselves against the misfortunes, which could

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contribute to the untimely or shameful death of a fellow-creature. How much more curious must they be, to make themselves acquainted with the conduct of a man, who, merely for the gratification of unruly passions, and ill-grounded resentment, could, under frivolous pretexts, and, with all the precautions of premeditated malice, under colour of law too, plot and compass the death of two men, who, although they might have given him cause for personal resentment, yet were not so guilty in the eyes of reason, as to merit the enormous punishment inflicted upon them, at the instigation, and by the particular command of the unfortunate man, whose memoirs we now submit to the inspection of a candid public.

Our chief design, in the following publication, is to shew, that neither overgrown wealth, family connexions, nor artful machinations, though contrived with the utmost secrecy, and carried on with all possible success, can escape the penetrating eye of the law, or the executive hand of offended justice : and to prove that, whilst our present gracious sovereign and his family fill the throne, no man, who dares to violate the laws made for the happiness of the country, can hope for impunity.

We should be sorry that any person, whose name we may be under the necessity of mentioning in the following sheets, should take umbrage at our quoting him, as it is almost impossible to relate the circumstances, without naming the persons who were chiefly concerned in

in them : and as we certainly have no personal enmity to the unfortunate gentleman, whose life we have undertaken to write, we shall give nothing but what has either immediately come within our own knowledge, or has been communicated to us by men, on whose honour and veracity we could rely : neither shall we add anything of our own, but such ornaments of diction as are essentially necessary, to render our composition acceptable to the public ; partiality being, in our opinion, the greatest injury we could possibly do to our readers. For these reasons we shall confine ourselves strictly to the truth, omitting such passages of the life of this gentleman, as we have not a sufficient knowledge of : and indeed we would wish to have it in our power to palliate many of the anecdotes we give, as we do not desire to enhance, but rather to extenuate the odium of many transactions, which our desire of gratifying the public, in a manner, forces us to commit to the press. But this desire of extenuation shall not lead us to deceive our readers, by putting the facts we relate into a false light ; all that we can do, being no more, than to avoid making comments, by which, it is true, we could swell our book to a greater size, but by such a conduct, although our own profits might be greater, yet we might be suspected of a design of making what is already too bad very much worse. Our delicacy will, we hope, sufficiently appear in our manner of conducting the work ; and gain us that credit which we shall endeavour to merit in this, as well as in our future compositions. Some persons, who de-

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light

light in cavilling at authors, will probably start the objection of, "where is the necessity of writing the life of George Robert Fitzgerald at all?" To this we have already given an answer in part; and shall add, that the love of our country, the desire of gratifying the laudable curiosity of our fellow-citizens, and a wish to place every circumstance of this gentleman's conduct in a true and impartial light, and by that means save an infinity of conjectures, have rendered it a kind of necessity for us to undertake it; and we flatter ourselves that, instead of censure, we shall merit universal applause.

To observe chronological order in our narrative, we considered (perhaps erroneously) to be totally unnecessary; neither would it be easy to call to mind the particular period at which each transaction of this gentleman's life has happened; besides, they are too numerous to admit of dates, without tedious and disagreeable repetitions.

As to his disputes with his father and brother, although we have found ourselves under the necessity of speaking of them, yet we have entered into them no farther, than would prevent a chasm in our relation; carefully avoiding any thing, that can be construed into an offence to any person, who does not immediately come within our plan. Yet, omitting nothing that could be looked upon as essential to our design, of giving so much of the life of Mr. Fitzgerald, as we have taken care should be authentic.

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Our motives for leaving out of this work, the circumstances of his trial for the confinement of his father, the arguments of council for and against him, the depositions of witnesses, and the learned and pathetic speech of Mr. Carleton, will, we hope, appear satisfactory to the public, and prove, that emolument was the least of our views, in undertaking so arduous a task ; a task which, though it may merit the thanks of our generous countrymen, may expose us to the secret shafts of private resentment ; a resentment the more unjust, as we take every pains to avoid injurious reflections on any person or family, but such as unavoidably grow out of our subject.

We will flatter ourselves with an easy pardon, for giving some account of Patrick Randle M'Donnel, in these sheets ; as the manner of his death renders him too an object somewhat worthy of curiosity ; and as we must necessarily make frequent mention of his name, and shew him in his proper colours, a matter not easy to effect, the public being very much divided in their opinions of him ; some representing him as a man of very bad character, whilst others would, perhaps, with equal injustice, represent him as quite faultless.

To enter into a detail of the actions of Mr. Fitzgerald, in his infancy, is foreign from our purpose ; such minutiae would not only prove tedious to our readers, but give an air of romance to our narration : we shall therefore content ourselves with saying, that he
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was the eldest son of George Fitzgerald, of Turlogh, in the county of Mayo, Esq; and of Lady Mary Hervey, sister to our noble and patriotic Bishop of Derry. From his father he seems to have inherited a strain of levity and inconsistency, which appeared in the course of his life as his chief characteristic; and first shewed itself in Galway, when he was quartered there with his regiment; being then no more than sixteen or seventeen years of age. And here I shall premise, that the inhabitants of this town have been evermore remarkable, for the most spirited opposition to the impertinencies of the officers of the army, and for affability and hospitable demeanor to such of them, as conducted themselves with politeness and propriety. His first adventure here was attended with some peculiarities, which marked his genius, and gave an insight into what he would be in time to come. In Galway, at that period, lived two sisters, of very genteel parentage and education, whom a reverse of fortune had reduced to the necessity of opening a shop, for the sale of millenary goods: By their assiduity, and strict adherence to the laws of virtue, they gained the esteem of their fellow-citizens, and a decently competent livelihood. One of them was younger by some years, and handsomer than her sister. On her Mr. Fitzgerald formed a design, and was so infatuated by an opinion of his own merit and charms, (for he was by much too handsome, and too delicate for a man) that he was led into a belief, that no woman could resist his solicitations; but that she, whom he honoured with
his

his dishonourable addressee, must immediately yield to his desires. Deceived by this self-sufficient idea, he entered the shop, where the young lady sat at work. He must have been accustomed to converse only with women of easy virtue, else he could not imagine, that the manner of his attack on her could be attended with the success he hoped for; on his entrance, he shocked her ears with the most indelicate expressions libertinism has introduced into our language: having thus, as he thought, fapped the foundations of her chastity, he made his assault, by lightly vaulting over the counter, which, until now, separated them, and took such liberties, as, after experiencing the inutility of mild remonstrances, and spirited personal repulses, forced her to call aloud for help. Mr. Fitzgerald was not to be discountenanced by what he imagined to be the empty parade of virtue; and notwithstanding her repeated cries for assistance, he still persisted in his efforts to obtain some token of his future victory; for victorious he did not doubt of proving in the end. The young lady's exclamations brought a Mr. Lynch into the shop. He was an eyewitness of Mr. Fitzgerald's indecent attempt upon her, he reprimanded him in severe, yet manly terms, but far from succeeding in his wish of freeing the young lady from the persecution she suffered, Mr. Fitzgerald used every means he could think of to intimidate him; first, by producing his Andrew-ferrara, so he called his sword: but Mr. Lynch answered him, that he could easily procure such another, and was not ignorant of the use of it. Finding this

essay

essay did not answer his expectation, he next shewed an oaken stick, commonly called a cud-gel, but Mr. Fitzgerald's, by way of eminence, went by the name of a rascal-thresher. Mr. Lynch still persisted in obstinate opposition to every impression of fear; telling him, that such another was to be had in a shop just opposite to that they were in, of which he would make use, if Mr. Fitzgerald should dare lift his hand to him. Whether Mr. Fitzgerald resolved to give way for the present, and renew his attack at some more favourable opportunity, we shall not take upon us to determine; but he shewed his resentment of the interruption, not by exercising his Andrew-ferrara against the breast of Mr. Lynch, or his rascal thresher on his shoulders; but by discharging a volley of oaths, execrations, and scurrilous abuse upon him, which made so deep an impression on Mr. Lynch's mind, that he resolved to call him to a severe account for it, in an honourable manner. For this purpose he called upon Mr. Michael French, then of Galway, and requested he would be the bearer of his message to Mr. Fitzgerald. He could not have chosen a properer person on the occasion, as Mr. French was a man, not only of consummate courage, but had also the honour of the county and town of Galway very much at heart. He accordingly accepted of Mr. Lynch's commission, and immediately waited on Mr. Fitzgerald, acquainted him with the purpose of his coming, and politely requested an answer favourable to the honour of his friend, with which request Mr. Fitzgerald thought it proper to refuse a compliance,

pliance, reflecting on the birth of Mr. Lynch, and declaring that he would think himself degraded, by giving him a meeting. Mr. French now found himself disagreeably situated. Had he not considered Mr. Lynch qualified to call upon Mr. Fitzgerald, he certainly would not have been his messenger on the occasion; to Mr. Fitzgerald he had no personal quarrel; yet his nice sense of honour compelled him to take that of Mr. Lynch upon himself; he therefore asked Mr. Fitzgerald, if he had any objection to fighting him; to which the other replying in the negative, they, by mutual consent, adjourned the decision for a few minutes, and appointed to meet at Softlaw's. Whilst Mr. Fitzgerald proceeded to the place, Mr. French stepped home for his pistols, and, in his hurry, forgot to examine them: he soon joined Mr. Fitzgerald in a very narrow room. No body knew of their design, for they had agreed to decide the matter without any witnesses. The door being locked, they took their places, and Mr. Fitzgerald's ball entered a pannel of the wainscoting, without doing any other mischief, than making a deep impression on the board. Mr. French's pistol missed fire; nor could it do otherwise, 'as, although very regularly charged with powder and a single bullet, it had no priming. This circumstance Mr. Fitzgerald took immediate notice of, and gallantly stepping up to Mr. French, he very politely offered him his powder-horn, and prayed him to make use of it, in repairing the mistake he had been guilty of. The report of Fitzgerald's pistol had reached the ears of some gentlemen,

gentlemen, who sat in a neighbouring room : they instantly flew to the door, and forcing it open, relieved Mr. French from a very embarrassing situation. His courage urged him on to a final conclusion of the affair he had undertaken ; but his generosity, on the other side, restrained it ; nor had he time to determine which impulse he should obey, when the interference of the gentlemen brought about a perfect reconciliation. And here our readers will give us leave to dwell a little on this instance of Mr. Fitzgerald's magnanimity. As we will always delight in doing justice to merit, when we can discover it ; so we shall feel a reluctance in commenting on the dark side of any character we shall undertake to draw : nor can we sufficiently praise this instance of true courage and generosity in Mr. Fitzgerald, who, far from profiting of the advantage which Mr. French's neglect had given him, and which we have seen seized with avidity by others, on similar occasions, without hesitation, magnanimously offered to his enemy the means by which he might have had his own life taken away. Had he since pursued this line of conduct, and we most sincerely wish he had, he would this day be the object of universal respect, esteem, and veneration throughout the British dominions, as he was in Galway, until he, unfortunately, by his levity, drew upon himself the resentment of a brother officer : nor was this resentment called forth, until a long series of wanton offences, insults, and injuries, had roused the sleeping Lion. Mr. Fitzgerald could not have pitched upon a man more unfit for him to exercise his
petulance

petulance upon, than Lieutenant Thomson, of the same regiment he served in : he was willing to overlook, as long as possible, the giddy sallies of inconsiderate youth, or the rash frolics of impertinent intimacy. He was perfectly cool, but unperturbedly resolute. What Fitzgerald's motive could be, for making this gentleman the object of his petulance, it is impossible to divine ; but it is certain, that, for a long time, he continued to give him repeated insults, which he bore with that temper, which is the result of moderation and compassion. One day, however, there was a review of the garrison, and on the march back, Thomson's inferior station, (he being but a Lieutenant, the other a Captain) placed him behind Fitzgerald, who incessantly teased him, by pushing his spontoon against his face, by which he annoyed him exceedingly : yet he expostulated with him, and endeavoured, by soothing entreaties, to check this tiresome tormentor. His moderation and forbearance served only to encourage Fitzgerald, who, not contented with insulting him all day, in the manner above-mentioned, took an opportunity, as he danced down a country-dance, of treading on Thomson's toe, with all the weight of his body ; taking care to fix his heel upon him so pointedly, that he could not but cry out, from the acuteness of the pain ; nor could he longer doubt, but Fitzgerald's design was to force him, by such repeated ill-usage, to call him to a very severe account. Unable to continue longer in the dance, he excused himself to the lady, who was his partner, and retired to his lodging ;
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now at length determined to chastise the folly he could no longer hope to correct by gentle means. The gay, the thoughtless offender, unconcerned at the insult he had given to an honest and brave officer, continued to dance, and enjoy the amusements of the place, until the approach of the morning, and the violence of the exercise rendered the company incapable of continuing it, and then retired to the barrack, where, until the evening, he drowned in sleep the cares and lassitude of the night.

Thomson watched the moment of his awaking ; for he would not take advantage of him, whilst his body remained under the fatigues of the dance, nor until his mind had been restored to its vigour, by refreshing slumbers ; hoping that reflection would lead him to a repentance of his late rash and inconsiderate behaviour towards him. He waited, therefore, until he awoke, and then called upon him, painted to him, in the liveliest manner, the injuries he had done to his person and honour, and told him that, provided he made a proper submission, his friendship for him would still induce him to forget and forgive : but when he found that his petulant perverseness was unabated, he could no longer defer calling him to account, and, therefore prayed he would appoint a time and place, for deciding the dispute. At five o'clock on the next morning they are to meet, in a garden near the parade, alone. Mutual confidence seems to have reigned between them. Thomson still feels a certain repugnance, at being under the necessity of fighting

fighting a raw unexperienced boy, ignorant of the consequences of a defeat or victory : he was himself but too sensible of the little honour to be gained by a conquest over such an enemy, and foresaw an infinite regret to himself, if he should unfortunately fall by his hand : he was, however, too far advanced for a possibility of retreating without dishonour. Vanity he feared might induce Fitzgerald to misinterpret his backwardness, and give that misinterpretation so much publicity, as would be hurtful to him as an officer. A soldier's honour is of so delicate a nature, that too much pains cannot be taken to preserve it. It is his life ; without it he loses all respect, and, therefore, he must be jealous, he must be careful of it ; he must sacrifice every human respect to it ; in short, he must watch over it with more attention, than the miser superintends his treasure. The miser may make more money ; but the soldier's honour, like the maiden's chastity, once lost, can never be retrieved. In such reflections as these, did Thomson pass a restless night, and saw the morning, not without considerable emotion. Uncertain of the event, he seems to have had a prescience of some disagreeable consequence. He rises, and calls on Fitzgerald according to his own desire. The town is buried in repose, and in consequent silence. They pass unobserved to the place of appointment. Every precaution is taken to prevent interruption. The door is locked, and they advance to a convenient spot. Thomson, still desirous of preventing an unnecessary effusion of blood, proposes every possible means of reconciliation ; but nature, which
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had implanted in the soul of Fitzgerald, a degree of levity proof against reason and reflection, inspires him with the whim of refusing every mode of re-establishing peace, and he seems impatient for the combat. Thomson offers him the choice of ground and distance. Fitzgerald cries out to him, " here I am ; fire " when you please." Thomson fires a harmless shot. Fitzgerald does the same. They take the second case of pistols. Fitzgerald's ball flies innocent : not so did Thomson's ; it strikes him over the temple ; he staggers ; he groans ; he falls ; and Thomson, thinking him killed, for a few moments loses all recollection. They had taken the key of the garden gate in with them. The neighbours are alarmed ; they run promiscuously, many half-dressed, but cannot obtain admittance. They scale the walls, and find Thomson stretched on the ground, the body of Fitzgerald closely embraced, his eyes flooded with tears, and his cheeks besmeared with clotted gore : motionless he lay, and seemed as dead as he who was the occasion of his tears. Suddenly he starts up, nor seems to see the crowd now gathering about him : he utters the most grievous exclamations against himself, for having imbrued his hands in the blood of a giddy boy, which he now accuses himself of having unjustly shed, and curses his own precipitancy, that did not rather bear with his petulance, than now see him a lifeless corpse, made so by his hand. He calls out to the people, with frantic wildness, to take him into custody, and deliver him up to justice. Fitzgerald, stunned by the shot he had received, had hitherto

therto remained in a state of insensibility ; now recovered from his trance, and hearing the expressions of his friend, whom he had compelled to inflict a just punishment on him, for his inconsistency, with a voice, as strong as his situation would admit of, does justice to Thomson, and acknowledges that he was forced to what he had done, by the grossest and most unmerited ill-usage. The sudden transition, from immoderate grief to an excess of joy, becomes almost fatal to Thomson ; he claps his hands together, and in convulsive emotion, runs about the garden, uttering incoherent exclamations, and could not be brought to his recollection, until the wounded Fitzgerald is taken up, and conveyed to the barrack, where the most eminent surgeons that could be procured in that country, are employed to give him the speediest and most effectual assistance. Here his natural levity and vanity shewed themselves in their most glaring colours ; for the surgeons, having held a consultation in his presence, and declared the absolute necessity of the trepan, he, in the most feeling and persuasive accents he was then capable of, begged of them, as a favour of the greatest importance to him, much more so than his life, “ to spare his toupée.” The gentlemen of the faculty, notwithstanding their professional gravity, and the awful solemnity of the occasion, could not, with their utmost efforts, restrain a relaxation of their risible muscles, and proceed to a successful operation, which soon restored him, once more, to perfect health, and to the arms of a father, so supernaturally fond of this heir to his estates and disposition, and so frenetically

frenetically desperate at the prospect of losing him, that he very near killed a gentleman of his kindred, who imprudently endeavoured to console him, by a pass of his sword, which glanced along the kinsman's hip, happily without much damage.

It might be expected that a lesson, so deeply inculcated, would produce good and lasting impressions, on the mind, as well as on the body of the sufferer. For a time it did indeed, as will appear by the following anecdote; but soon wore off the mind, though the head bore the mark to his death.

In some time after his recovery from this wound, he attended at a horse-race, at a place called Kilmain, in the county of Mayo. The gentlemen, who attended the amusement, knew his father perfectly well, and had but little reason to flatter themselves, that the son would deviate from the paths he had traced: they, therefore, dispersed themselves among the neighbouring hospitable gentry, preferring peaceable security to dangerous diversion. Twelve only remained, besides Mr. Fitzgerald, whose coming proved one of the most hurtful circumstances that happened to the inn-holder for that day. One of the twelve was Garret Dillon, Esq; a man well known among the sportsmen of his days, for his courage, spirit, and good humour. Mr. Fitzgerald must certainly have considered himself, as the only great man, who was to dine at the long table on that day; and, therefore, marked the most conspicuous place
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for himself. No one cared to oppose this self-elected chairman, and the company cheerfully sat down to dinner. For two hours, without intermission, he alone engrossed almost the entire conversation. What the subjects he held forth upon were, is now immaterial ; and all that the company could do, was to nod approbation ; for they had not time to speak, nor could any two of them hold a private chat, as the chairman spoke so loud, that the adjacent rooms re-echoed. Mr. Dillon, who thought there were those in the company, who could give as much delight, and instruction as Mr. Fitzgerald, having patiently heard him during the time above-mentioned, at length began to consider such a monopoly as an injustice to the whole company ; and perceiving a tame acquiescence in the other guests, resolved, either to quit the room, or have a more equal distribution of the discourse ;—he, therefore, very pertinently, asked Mr. Fitzgerald, if he intended paying every man's club :—being answered in the negative, he immediately told the chairman, that by G—d he must club the conversation, and added, that, having alone engrossed all the talk of the table for two hours, he would expect an absolute silence for one hour, and laid his watch on the table. The guests looked at each other in silent astonishment, and seemed every instant to expect, that Mr. Fitzgerald would have resented the presumption of Mr. Dillon ; nor was their surprise diminished, when they found that Mr. Fitzgerald, very prudently, submitted to the injunction ; and did not, in the least, disturb the

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tranquillity

tranquility of the company, by taking a hostile notice of Mr. Dillon's imperious reprimand. A languid murmur was now all that was to be heard;—the conversation dropped, and long before the hour was expired, Mr. Dillon found it necessary to resign his usurped authority over the tongue of Mr. Fitzgerald; who soon caused hilarity to revive, and kept it up, for a good while after Mr. Dillon had retired.

It is with the utmost regret we find ourselves under the necessity of making a chasm in this part of our history; but our firm resolution of adhering, invariably, to the truth, is, we hope, a sufficient apology for this interruption: nor, indeed, could we offer a better; not but we could fast in many anecdotes, which really happened to other persons, of a disposition similar to that of this unfortunate gentleman; but we should think ourselves unpardonable, should we be guilty of such an imposition on a candid public, whose esteem we prefer to the empty honour of ill-gotten lawrels. We must, therefore, pass by a long space of time, in which this gentleman undoubtedly gave many proofs of his genius, in this and the sister kingdom; as our lawful occupations have hindered us from following him, and that we would not, on bare hearsay, deliver what we could not authenticate. We shall likewise touch, with all the delicacy we are capable of, on that part of his life, in which the unfortunate differences between him and his family kept the county of Mayo in anxious suspense, for a number of years; confining ourselves to such circum-

circumstances only, as the nature of our subject will necessitate us to relate ; avoiding, as much as possible, any reflections, which may give offence to the friends of either party. We shall, therefore, follow him to France, where we shall find him landing at Calais, with a retinue of servants and horses, that would not disgrace an ambassador. From Ireland he had not received a shilling for some years, and the noble portion he had received with the amiable lady he was first married to, was almost all given to his father, in consideration of a settlement he made on the son : yet he had money, —a great deal of money. He sets off for Paris, and attracts the notice of the people as he passed along, though accustomed to behold scenes of magnificence. But the admiration of the country people was nothing to the bustle he occasioned in Paris ; for, as the morning star eclipses all the lesser ones, so he out-shone the numberless bucks, bloods, fops, petits-maitres, and other votaries of Momus, not only by the grandeur of his appearance, but likewise by bowing, cringing, and saluting the polite mob that rushed precipitately to their doors and windows, to see the meteor pass, with hat in hand, and mounted on a superb courser, that pranced along the streets, as if to add grace and dignity to his already over-elegant rider. Nor was he long at his inn, when the several shop-keepers of Paris flocked about him with their merchandizes, as bees about a hive. Tailors are employed to make new suits for himself, and liveries for his servants : jewellers vie with each other for the honour of adding lustre

to his captivating person : tradesmen and women of all sorts crowded about him, and he was too well bred to disappoint their wishes of becoming his creditors : he politely divides his favours among them, and suffers not one discontented countenance to leave his apartment : he takes from all, and proves to the city of Paris, that he, and he alone was capable of illustrating the honour of Great Britain, by excelling all his predecessors in the line of extravagance. The several dealers being retired, after leaving with him to the amount of very large sums of their goods, he presents himself at the windows, from whence he throws handfuls of silver into the street, among the savoyards, decreteurs, filles-de-joye, and espions de police, with which that great city abounds. Having recovered himself from the fatigues of his journey, and received the tributes of his taylor, lingers, and other tradesmen, he proceeds to Fontainbleau, where the court then resided ; to spread among the higher ranks that fame, which had already gained him the suffrages of the lower classes in the city. He arrives ; and instantly the whisper runs from mouth to mouth in gentle murmurs ; “ Qui est ce seigneur ? “ D’où vient-il ? il n’est pas François. Quelle “ magnificence ! Quelle politesse ! Est-il possible qu’il soit étranger ! ” Every man forms a conjecture ; every woman admires the elegance of his person and address : he salutes all, he compliments all, and each unmarried lady puts on her most graceful smiles, and flatters herself, that she alone will have the happiness of gaining his heart. Nor is the honour of mortifying
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her rivals, by so glorious a conquest, the least among the motives of each, for spreading out all her allurements, to engage his affections. But disappointment soon followed their expectations : already bound in the filken ties of love and marriage, with a woman, whose personal accomplishments, and mental qualifications eclipsed the natural and acquired charms of the French ladies, he viewed them with polite indifference. This endeared him still more to the nobility of the court ; especially to the gay and dissipated among them, who courted and caressed him, with all the extravagance of politesse Françoise. But none of them shewed a more violent attachment to him, than the Comte d'Artois : a congeniality of dispositions united them, and the prince, who shewed an inclination of honouring him as much as possible, presents him to the King and Queen : the latter receives him with that affability, which is natural to her ; but Lewis the sixteenth was more phlegmatic than the generality of his subjects : he read levity, inconsistency, and dissipation in his countenance, and, therefore, though he treated him with civility, he thought him a fitter companion for his brother, in his hours of mirth and revelry, than for himself, who spent most of his time in studying the aggrandizement of his empire ; he, therefore, handed him over to his brother the Comte d'Artois, who received him with more joy, than if he had presented him the richest jewel in his possession. The night seemed tedious to him that separated him from Fitzgerald ; the day was intolerably long that kept Fitzgerald from him ;

him; he was his only happiness, his delight, his darling; the hours were but minutes that he spent in his company, and these minutes were spent at cards. Fitzgerald, though well versed in every game, was yet inferior in skill to the Prince: he lost; but his losses sat light upon him, as no application was made for sums, which he certainly could not pay, as the support of his numerous household had already swallowed up his ready coin:—but Fitzgerald was not so weak, as to feel for the prince a mutual attachment of equal violence; his dignity must be supported, and as his success with the Comte d'Artois was far short of his expectations, some other method must be tried to replenish his exhausted coffers. Hence, a new connexion is formed with a gentleman of the name of Baggs, a Major in the English service, who had so entire a command over his passions, as to withdraw when fortune declared herself against him. With him Fitzgerald frequented some houses in Paris; where, either through want of skill in the other players, or through his knowledge of the games, being improved by the lessons of this new friend, he found himself once more qualified to appear at court. But here his wonted inconsistency drew him into an error, which exposed him to a sensible mortification; for on entering the room, he found the Comte d'Artois engaged in a party of picquet with another nobleman, and inconsiderately proposed a bett of a thousand pounds against d'Artois's hand: the hand of him, to whom at that very instant he owed three thousand Louis d'ors. The Comte did not overlook

look it; he immediately applied to him for payment, and on being answered that it was not then convenient, he took him by the arm, led him to the stairs, and with a kick in a part that shall be nameless, dismissed him for that time from court. Fitzgerald was not to be dashed by a trifle of this kind. The Comte d'Artois was a prince of the blood, his rank screened him from resentment, otherwise it is most certain our brave Irishman would have called him to the field, as he did very many others before and after: he therefore smothered his feelings, and returned in some time after to Fontainebleau, where there was to be a grand stag-hunt. Here he resolved to shine as in every other branch of sport: he sent for his horses to Paris, and having chosen one, on whose spirit and agility he could depend, he mounts him, and sticks close to the hounds, regardless of the deference due to the King, Queen, Princes, or Princesses, who were all present.—He hallows, and encourages the hounds as he goes along, dashing through the thickest of the forest, to the very great astonishment of a most numerous concourse of the first nobility of France.—There was yet something wanting to crown his glory in this line: the forest was open; no inclosures; no leaps; no means of showing how regardless he was of life and limb; when an opportunity offered of proving himself perfectly accomplished. Fortune proved favourable to him; she heard his ardent prayer, and furnished him with an occasion of gratifying his ambition. The river Seine intersects the forest near Fontainebleau;—
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the banks of the river are high ; the road runs by its side, and the late king, when he preferred his subjects happiness to the gratification of his own passions, had ordered a wall to be built between the road and the river, to prevent unfortunate accidents ; it was about three feet high ; but the perpendicular, on the river's side of the wall, was at least fourteen feet. The stag, closely pursued by the hostile dogs, and probably not unacquainted with this obstacle, hoped to find his safety in committing himself to the river ; he accordingly leaped the little barrier, and took the foil to the other side.—The hounds were too eager in the pursuit, to stop at such an obstacle ; they likewise took the foil, and Fitzgerald, who rejoiced secretly at an impediment, which he thought would show him to the best advantage, having waited until the dogs were half-way over, gave the spurs to the generous horse he rode, and was immediately out of sight. This was an instance of temerity, which the French, especially at Paris, are totally unaccustomed to see.—The Queen screamed aloud ; the attendant ladies politely followed her Majesty's example, so that the woods and waters resounded, for a long time, with the repetition of their piercing notes. The King looked astonishment ; the courtiers set their countenances after his ; so that, between the shrieks of the ladies, and the attitudes of the lords, and Mr. Fitzgerald's emergence from the watry element, an indifferent spectator, of any taste, must have drawn a fund of infinite entertainment. Our Irishman, careless of the alarms which his submersion had
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occasioned, re-appears undismayed, and triumphant; lands on the opposite banks; pursues the hunt, and has the honour of bringing the stag to bay, before the court could come up, as they were obliged to wait for boats on the other side, to ferry them over. He might have presented the spoils to his Majesty, being armed with a *couteau-de-chasse*; but he knew too much of high-life, to rob him of an honour, which the French monarchs have always reserved to themselves exclusively, that of taking away the life of an inoffensive animal, no longer capable of defending himself, or of escaping by flight. Having thus established his reputation at court, as a keen sportsman, in every sense of that word; and finding the Comte d'Artois's reiterated applications for three thousand pounds (he could not forget Mr. Fitzgerald's breach of etiquette, in offering to bett against the hand of him, to whom he owed so large a sum; and what the Frenchman cannot forget he seldom will forgive) finding (I say) the Comte's applications too frequent, and exceedingly troublesome, and observing besides, that he could expect no more opportunities of appearing remarkable, he thought it prudent, and found it convenient to return to Paris; as he might there, notwithstanding the numberless objects of ridicule that city abounds with, find some means of indulging his favourite vanity; for he piqued himself on excelling in almost every qualification, that can constitute the gentleman, the buck, and the man of wit. He pretended to a consummate skill in horse-flesh, and indeed, if he was himself the
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man that chose the horses he brought with him to France, no man possessed a greater share of it; but there is strong reason to believe, that he had a better judge with him than himself, when he bought those cattle: for as, at that period, the French nobility had got the rabies equos currendi in a supreme degree, immense sums of money were transferred to England, for the purpose of buying up horses fit for the course. Persons, who pretended to a perfect connoisseurship in that article, were employed, at very large salaries, to procure thorough-going racers, and these impostors took care (for they were all native Englishmen) to serve their friends and themselves, at the expence of the gulls. Horses were brought, whose elegant figure would easily deceive strangers, unacquainted with those noble animals; and Mr. Fitzgerald was, it seems, deceived, or as the sporting phrase is, taken in. Several noblemen make a match for a race, at a place called La Plaine des Sablons, contiguous to Paris. Mr. Fitzgerald examines all the horses with an eye of assumptive penetration, and having backed one for fifteen hundred Louis d'ors, he carefully conceals this source of expected wealth from all his acquaintance; but on a second inspection, whether from private information, or maturer judgment, we cannot take upon us to determine, he thought it prudent to make his venture known, and vaunt the certainty of gaining so large a sum. It must be confessed that he conducted the scheme he had formed, with all the art that man was capable of:—he insinuated to such of his acquaintances, as he purposed to

to take in, that he had a very strong friendship for them, and recommended to them to bett on the horse he had laid his money on. Thus he stole them into a request, that he (who was known to look on money as a convenience, otherwise an object of scorn) would cede to them a part of his betts, to which he, with seeming reluctance consented, pretending an uneasiness, lest he should not find an opportunity of taking on to the amount of what he thus resigned to disinterested friendship. High expectation on their side, secret exultation on his. The day of decision arrives. The hearts of all parties concerned are dilated. Each expects that he shall return home with wealth and victory. — The crowds are immense. — The stately coursers are led forth to parade. The riders promise the utmost exertions of skill to their employers :—the signal is given ;—they start ;—they run ;—they arrive at the goal ;—and Fitzgerald's last prognostic is verified ; the horse he had laid his money on is beat hollow. He conceals his satisfaction, assumes a rueful countenance, and with a secret sneer, consoles the victims of his cunning, by promising them better luck another day. Thus did he get over a faux-pas, which at the time must have proved exceedingly distressing to him, as cash began to grow excessively scarce ; so that, if Major Baggs is to be believed, he was under the necessity of borrowing small sums from himself, to supply his table with necessaries. This Mr. Fitzgerald denied. To which of the two gentlemen the greatest credit is due, we must leave to our readers to determine. If fighting could
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constitute the man of honour, without any other attribute, neither could be suspected of falsehood; for both were equally ready to handle the sword or pistol, be the occasion what it would. A good deal of abuse, with reflections not very honourable to either, passed between them. The best educated, and most sentimental men and women may sometimes be provoked to scurrility. Such must have been the case with these two gentlemen, for they did bespatter each other in a most unmerciful manner, to the great mortification of some, and amusement of others of their acquaintance. Nothing less than the weapons of death could decide the quarrel, and those they could not make use of in France with any safety; they therefore agreed to retire to Flanders, accompanied by each a friend and a surgeon. The provocation on either side was such, as would admit of no mediation; the friends were therefore under the necessity of acting, rather as spectators on the occasion, having nothing else to do than load the pistols, and measure the ground for the combatants. The surgeons were not so idle after a little time; for both gentlemen were wounded, especially Mr. Fitzgerald, who received a hurt in the heel, the effects of which he felt to his last hour, having a halt in his gait; yet such was the elegant deportment of this extraordinary man, that you could scarcely perceive this defect, unless by a previous knowledge of the accident, you took more than ordinary pains to remark it. Necessity compelled him to remain a considerable time in Flanders, attended by a surgeon; but whether he brought
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one from Paris, or employed a practitioner of the country he then sojourned in, we cannot ascertain. Prudence suggested to him, that it would be dangerous to return to a city, where there were very, very many, whose applications for money would be irksome, and probably unsafe for a man of his spirit and delicate feelings. Having therefore, remained in Flanders until his cure was effected, as far as possible, he took the road to England. He had reasons, certainly very cogent reasons, for not appearing in England at this time, with the same eclat that attended his arrival in France; nor could we discover that he made any stay in that kingdom. Reason seems now to have taken the ascendant, in her turn, over that levity, which, until now, appears to have been his leading characteristic. He returns to his native country; nor was his arrival in Dublin attended with any remarkable instance of magnificence. As a simple, rational gentleman, he revisits his native country, and having delayed a few days in that metropolis, for refreshment after his voyage, he proceeds to the county of Mayo, where he takes up his residence at the house of Mr. Patrick Fitzgerald, of Castlebar, jun. a gentleman very nearly connected with him by the ties of blood. He had no home, no house, no place he could call his own; and made such professions of friendship and gratitude to his kind entertainer, that he used extraordinary efforts to render every thing agreeable to him. On George Robert's side, the most unlimited professions were dealt out with a profusion, that should have staggered credi-

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lity. On the part of Patrick Fitzgerald, the most unremitted attention : his wishes, his very looks were consulted, to try if his desires could be discovered by them. His servants, his horses, even his dogs were treated with attention and regard, he was the head of the family : A large estate was to devolve to him, many valuable parts of which were shortly to fall into his own hands. Mr. Patrick Fitzgerald had at that time a lease of part of the estate, which was to determine shortly ; a renewal of it, on reasonable terms, would be in some degree a recompence for the hospitality shown him, at the time when he had no other place that he could with plausibility go to. His father he said had used him ill, he had withheld from him one thousand pounds per annum, which, by settlement, he was to receive out of the estate ; there was an arrear of some years due to him ; he could and would shortly be able to acknowledge and recompense his dearest, his best, his only friend, for his sincere, disinterested friendship. His father and he, after some months stay at Mr. Patrick Fitzgerald's house, enter into an agreement ; he is put into possession of the house of Rockfield, and entire estate of Turlogh. Mr. Fitzgerald's lease expires ; he applies for a renewal ; some rents remain due ; his cattle are seized, and he is himself ousted of his farm. Such was the proof of gratitude given by George Robert Fitzgerald to his kinsman, his friend, his host ; nay, not contented with this ungenerous conduct, he pretends another cause of quarrel to him, the circumstances of which he never would explain ; and when
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this too confident young man died in some years after, he refused his disconsolate widow the liberty of burying his remains at Turlogh, where was the family vault. Here we would have room for reflections, and such reflections as would certainly aggravate the ingratitude of him, whose memoirs we have undertaken to write: but as we wish to put as good a face on the gentleman's conduct as we possibly can, we shall forbear making any comments, and leave the reader to pass such judgment, as his own good sense and feelings will suggest to him.—

Too painful is our task in reciting simple facts. Now that he had a house which he could call his own, those seeds of virtue, which lay concealed within his breast, and were only clouded by an unfortunate combination of circumstances, which he could neither foresee nor prevent, and by a natural impulse to the gratification of passions, which his reason had not power enough to subdue, began to appear, and promise a plentiful harvest of qualities, which, had they been cultivated by the fostering hand of conjugal endearment, must have arrived at maturity, and reflected happiness on all around him. That a kind and understanding wife can make a convert of a viciously inclined husband, and root out many of the tares which grow amongst his virtues, is admitted, without an argument, by those who have happily experienced the salubrious effects of a prudent choice in marriage; and that the wife of Mr. Fitzgerald, possessed all the qualifications necessary to produce so happy a change in him, is too well-known to thousands, to require any support from our testi-

testimony. But unfortunately for him, this lady's constitution was already undermined. The delicacy of her feelings rendered his caprices fatal to her. To hear almost daily, of his being engaged in duels, where his life might become the forfeit of his own inconsistency; to have her ears dinned with relations of his levities, preyed upon her mind, and kept her in continual alarms. Yet hope, that false, but flattering support of wretched mortals, wretched indeed, had they not this only stay to keep away despair, aided her in resisting the cankerous tooth of care, that imperceptibly wasted her health. Her joy was inexpressible, on finding her strayed sheep returned to the gentle circle of her lovely arms. She received him with ineffable delight, and accompanied him to Rockfield, where her successful endeavours would, in all probability, have soon effected a thorough reformation in him, had not her constitution, already too much impaired, yielded to the hand of death, in the bloom of youth and beauty, and deservedly lamented by all those who had the pleasure of her acquaintance. Mr. Fitzgerald's grief on this melancholy occasion was, indeed, sincere, his tears were real, and his cries and groans, uttered from a heart penetrated with the most lively sorrow, echoed from the neighbouring hills and groves. In obedience to her own injunction, he resolved to convey her remains to Dublin, to be there interred. He resolved to accompany them himself; and here once more his natural disposition appeared, for he made his infant daughter, attended indeed, by her maids, accompany him

him through the whole route, exposed to all the inclemencies of an advanced season, and to the still more affecting lamentations of those, who accompanied the herse; lamentations as loud as they were sincere! for who could know Mrs. Fitzgerald, and refuse a tear to her memory? who could be her servant, and not feel unutterable grief for the loss of a mistress, whose gentleness, affability, and compassionate attention to their wants and complaints, were the least of the long catalogue of virtues, which rendered her the nonpareil of her sex? In conducting this lamentable convoy to the place of interment, Mr. Fitzgerald had occasion to halt one evening at an inn, where he ordered the coffin to be brought in, and lodged in a room, that he might himself watch over it with the more convenience. Superstition still maintains his gloomy influence over the minds of too many of the lower class of people in Ireland, and the inn-holder was deeply infected with the poison. He dreaded all the consequences, which he was told must result from the entrance of a foreign corpse into his house; he opposed the admittance of that of Mrs. Fitzgerald, with such obstinacy, that the disconsolate husband was under the necessity of drawing his sword, to enforce obedience to his commands, on finding that entreaties, and verbal menaces proved equally ineffectual. Terror obtained that, which gentle means could not wring from the credulous soul of this superstitious wretch; for he did not doubt, but Mr. Fitzgerald would punish his opposition with death. He now continued his route, and performed the last duties

to the remains of a lady, whose death proved to him the most unfortunate, the most irreparable injury he could possibly have suffered; as the gentleness of her manners, and her endearing caresses would infallibly, either have rooted out those vices, that proved fatal to him, or at least have suppressed them so effectually, as to prevent their becoming a scourge to the county of Mayo, and a noose, in which his own fair fame and life were caught at last.

For some time, however, he continued to show his native disposition, only in harmless oddities, and unprejudicial annoyances. Hunting he took particular delight in. He was so much enamoured of this diversion, and had such a passion for appearing singular, that in deviation from the common practice, he chose the night for pursuing his game. A number of servants well mounted carried flambeaux, to guide himself and his huntsmen. The hounds must be directed by their noses. In this manner he followed the fox, over hedges and walls, through bogs and rivers, to the great astonishment and terror of the villagers, whose heads being filled with strange notions of apparitions, imagined that all hell was come upon earth, in pursuit of some poor fugitive ghost; some of their clergy, almost as weak of intellects as the peasants themselves, used exorcisms, prayers, and benedictions, to chase away the infernal huntsmen, and relieve the suffering soul from this diabolical pursuit; nor were the old women, famed for their skill in witchcraft, suffered to remain in peace, but were forced to pronounce their

their incantations, in order to lay this nocturnal tally-ho. Time undeceived, and relieved the people from their apprehensions; they got acquainted with Mr. Fitzgerald's new mode of hunting by night, and contented themselves with cursing the author of such interruptions to their rest; and indeed, the severe discipline he inflicted on such of his servants, as refused to pursue the track the hounds had taken, contributed to the error the peasants were in of a diabolical hunting-match. This passion for hunting led him to attend a club, which was held at a place called Ball, in that county, and distant but about eight miles from Rockfield. Of this club, Sir Henry Lynch Bloffe was the founder: his hounds gave the diversion; his horses were at the service of such of the neighbouring gentry, as could not supply themselves with cattle proper for the chase; and a genteel, harmonious dinner was prepared, at the house of a widow in the town, for the members. Indeed, we have strong reason to believe, that the club was originally instituted, for the purpose of serving this honest woman. Mr. Fitzgerald, who had seen so much of the world, thought himself the only good judge of what was proper in that county. To prove his sufficiency in that point, he insisted, in a peremptory tone, that such and such persons should return home. One was fitter for the plough than hunting; another should take care of his aged father's business; a third was such an unwieldy chubby fellow, he must break his neck should he attempt following the hounds; a fourth could not afford to take such an expensive amusement; many were thus dis-

carded, and none dared to enter into competition with a man, whose desperate temper they were all acquainted with, nor return to the field, whilst he was there, lest, according to promise, he should exercise his horse-whip on their shoulders. Thus did he endeavour to lay the foundation of that tyranny, which he, in proper time, intended to exercise over the whole county; considering that fear often attaches those to us, whose love we have not talents sufficient to gain. His behaviour was, if possible, still more arbitrary in a short time after; for, being invited to dine at the house of a gentleman in the neighbourhood, whose son-in-law was with him on a visit at the same time, Mr. Fitzgerald observed, that this man was of an extraordinary corpulency: when dinner was served, he took occasion of observing, that he was exceedingly delicate, and subject to very severe revulsions in his stomach, if any indecency was committed in his presence; especially that a gross feeder would infallibly derange his nerves to such a degree, that he could not contain himself at the sight; he therefore requested that the gentleman should be sent to the side-table. The whole company was deeply struck with amazement, and the kind entertainer, remonstrating in the most respectful, or rather submissive terms, that the gentleman was his son-in-law, and entitled to a place at his table, he assumed a peremptory tone, and insisted on his withdrawing. Personal safety is a chief object of consideration with many; to it honour and profit are often sacrificed; so it happened here, for a compliance was considered as pre-

preferable to opposition, where, in all probability, a duel must be the consequence, and in such a duel, and with such a man, death must be inevitable.

Hitherto Mr. Fitzgerald amused himself in exercising his power over the small gentry of the county of Mayo; but such easy conquests could not gratify his ambitious views: something he must do that should render him still more conspicuous. The complaints of a few private gentlemen, which could extend no farther than the narrow circle of their own acquaintance, and an usurpation of so trifling a nature, could not make him sufficiently remarkable; he, therefore, rises all at once to an attack on wealth, title, and connexions. The Earl of Altamont becomes the object of his unmerited resentment. Proofs of his ill-will he missed no opportunity of giving to that honourable family; nor could any branch of it escape his malevolence. Even the servants of the Earl were made to feel, that Mr. Fitzgerald would, if possible, make the county of Mayo disagreeable to his Lordship. For being once at the house of Mr. Boniface Garvey, a gentleman of a very handsome estate in the neighbourhood of Westport, he brought out his setting dogs one day, and without paying the smallest compliment to the proprietor, he boldly enters on that nobleman's grounds, and pushed his rude intrusion so far, as to dispute his right of killing the game on his own estate; for, meeting with some servants of the Earl, who, by his orders, were beating the mountains for game, he came up to them, asked them in a peremptory tone, who had sent them to shoot there?

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And being answered that their master did, he immediately takes a stick, which he always carried along with him, and called his boulteen, and beat them in a most unmerciful manner, forbidding them, on pain of a repetition, ever to appear in his sight again with dogs, nets, or guns : the fellows were obliged tamely to put up with the assault and battery, well knowing that opposition, or even complaint would prove fruitless, and only bring on them a more severe application of the boulteen, as Mr. Fitzgerald never left home unattended by some of his desperadoes, who would not fail of executing his most sanguinary commands : they, therefore, withdrew, and returned to their master, whilst he lorded it over the estate of a nobleman, whose good sense refused a competition with bedlamite insanity ; such must the conduct of Mr. Fitzgerald be considered on this occasion, in usurping an exclusive right of sporting on the Earl of Altamont's estate.

The same prudence induced another gentleman of that family to resign his amusement to Mr. Fitzgerald, about the same time, for Mr. Fitzgerald being informed that Mr. Browne was to shoot in a bog very convenient to the seat of his Lordship, near Westport, instantly assembles his men and dogs, hastens to the place, and enters the bog at the other end. The sight of him determined the other gentleman to withdraw, which Fitzgerald perceiving, he began to run after him, by which he procured to himself, and his attendants, a great deal of diversion, as Mr. Browne, who knew his implacable disposition, made all the haste he was capable

capable of, to avoid a scuffle, which must necessarily ensue, had they come close to each other. These, however, were but trivial depredations on the Altamont family; feeble efforts to mortify those, whom he wished to hurt. He missed no opportunity of blasting their reputation in every company he was admitted to, but the crime he laid the chiefest weight upon, was cowardice; this he insinuated with the deepest rancour, and not contented with barely asserting it, at once declared he would produce an undeniable proof of it, by insulting and challenging to the field the honourable Collector Browne. Armed with all sorts of offensive weapons, and accompanied by some of his desperate banditti, he rides up to this gentleman's door, loads him with the most scurrilous abuse, in language that would have disgraced Billingsgate, and insists upon his coming out immediately to fight him. Prudence should have restrained the Collector from paying any attention to the railings of the madman; but as Mr. Fitzgerald laid a particular stress on the word coward, Mr. Browne resolved to wash off that stain, by giving him an immediate meeting. But, as at pistols, there could be no equality, the one being a lusty, corpulent man, the other a slender, insignificant creature, so slender that, as Mr. Browne emphatically expressed it, "a man might as well fire at the edge of a pen-knife;" and, indeed, his numerous duels, to which his petulance exposed him wherever he went, rendered him such an adept at that business, that he generally went to it as to a common

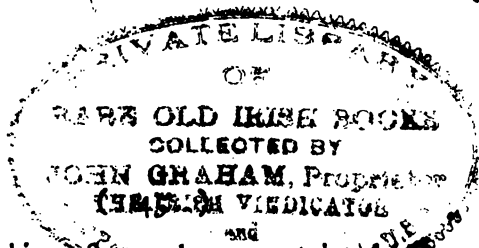
common amusement ; there could, therefore, be no equality ; and Collector Browne, very properly, declined meeting him at those weapons : neither could he consider himself on an equal footing with him at the small sword, as continual practice, and amazing agility gave him a superiority over a heavy man, little accustomed to active exercise, and, therefore, exposed to inevitable destruction. The only weapon, that he could consider as best calculated for putting them both on such a footing as to give neither a certain advantage over the other, was the broad-sword ; with the use of which Collector Browne was somewhat better acquainted, than with that of the others. Fitzgerald seems to consent to meet him even at this, but wanted only to allure him from the security of his own house ; and Mr. Browne, taking his sword under his arm, unsuspecting of surprize or foul dealing, was walking along the avenue, to call on a neighbouring gentleman to attend him as his friend, when, on a sudden, Fitzgerald, turning short upon him, renewed his charge of cowardice, and, at the distance of ten yards, fired a loaded pistol at his head. Happily for Mr. Browne the attempt visibly made upon his life, in so treacherous a manner, did not succeed ; he, therefore, immediately returned, with all possible haste to his house, scarcely hoping that, even by a precipitate flight, he could escape the murderous intention of his furious enemy, who pursued him with a resolution of either shooting him, or of trampling him under his horse's feet. Fortunately Mr. Browne was not far from his own house at
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the time, and had the good fortune of getting into it before he could be overtaken ; nor could a torrent of the most illiberal abuse, nor the scandalous reflections of Fitzgerald prevail with him to expose himself a second time to visible destruction. A new object now seems to have diverted Mr. Fitzgerald from his purposed persecution of the Altamont family. That ever-glorious and memorable institution, which has filled the world with wonder, and gained to Ireland universal respect, the self-armed heroes, who, to relieve their King, and enable the troops they generously paid, to fly to the remotest parts of the world, to punish rebellion, and chastise the ungenerous interference of treacherous jealousy, began now to shew that liberality of sentiment is the surest tie to bind a nation with, and prove, that foreign invasion would meet with becoming chastisement from settled loyalty and disinterested patriotism. The inhabitants of the town and neighbourhood of Castlebar, were not backward in embodying, and about two hundred and fifty men, of undaunted bravery, patriotic firmness, and spirited unanimity, formed themselves into two corps, one of horse, the other of infantry, under the command of Charles Lord Baron of Lucan, and took the name of the Mayo Legion. Whilst that nobleman could act as their Colonel, they were distinguished by their undivided efforts in defence of the laws and liberties of Ireland. Always prepared for any emergency, when a report took place, that some French ships, with troops on board, had made their appearance on the Western Coasts
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of this kingdom, they flew with alacrity to the threatened spot, nor waited an instant for any reinforcement; proud of laying down their lives in defence of their country. Mr. Fitzgerald, on whose lips the repetition of patriotism always sat graceful, but in whose heart the substance of it could find no shelter, collected a band of desperadoes from amongst his own tenants, cloathed and armed them, and gave them the empty name of Volunteers. They were not embodied to follow the laudable example of the other corps throughout the nation, but to execute such schemes of revenge or opposition, as their nominal Colonel should think proper to suggest to them: neither did they trouble themselves with any scrutiny into the justice or illegality of their orders, contenting themselves with an implicit obedience to their commander. It was with a band of these armed ruffians, accompanied by that scandal to the name of soldier and gentleman, who went by the name of Captain Crofton, of unknown, or at best very obscure birth, that having formed the design of getting his father into his power, Mr. Fitzgerald, in the dead hour of night, arrived at the house of a Mr. Redmond Joynes, of the county of Mayo, where his father and brother, Mr. Charles Lionel Fitzgerald, were, on their way to Dublin: it is more than probable, that he would have effected his purpose, had not the want of beds put some of their servants under the necessity of sleeping in a post-chaise that stood at the door. The night was calm, and they heard the noise of many horses coming along, so fortunately in time, that

that they gave the alarm, and brought several pieces of arms, that remained in the chaise, to the two gentlemen, before the enemy could prevent their motions. Here Mr. Charles Lionel Fitzgerald was under the necessity of standing on the stairs, well supplied with fire-arms, to oppose the attempts which he saw were to be made on the liberty of his father, or himself, or both. The pretext Mr. George Robert Fitzgerald made use of, to palliate his attempt, though false, was plausible. He laid close siege to the house, for the purpose of enforcing the law against a William Burke, one of his father's servants, whom he had, without the slightest foundation, got indicted for a pretended rape, and obtained a warrant for apprehending him ; but this man's real crime was a firm attachment to his master, and as firm a resolution of opposing every effort made, or to be made, by Mr. Fitzgerald to confine his father ; he had, moreover, exasperated him by a kind of contempt of his authority, in entering the pound of Turlogh, in open day-light, and there shooting, with his own hand, a horse, his property, confined by Mr. Fitzgerald's order, on pretence of trespass, though it was well known, that he had ordered one of his banditti to steal the horse at night, from the park where Burke kept him at grass. This was a crime which Mr. Fitzgerald never could forgive ; yet we can scarcely blame the man for this instance of humanity to the poor beast, as he could not prevail upon Mr. Fitzgerald or his pound-keeper to release him, notwithstanding that he often offered to pay even an illegal sum for the pretended

pretended trespass he was unjustly accused of having committed. On this man Mr. Fitzgerald determined to wreak the most exemplary vengeance ; but his not being in Mr. Jonines's house at the time, and his getting seasonable notice of his enemy's motions, enabled him to escape, by concealing himself in the ruins of a neighbouring church ; whilst Mr. Fitzgerald, finding himself fatigued, and confident of the attachment and capacity of his hireling, Captain Crofton, to watch every opportunity of gratifying his wishes, threw himself on an old chest, in a sooty hovel, to repose himself. Neither, indeed, was he deceived in the fidelity of this execrable minion, who placed himself under the shelter of a wall, where he could receive no damage, and was heard to swear, that he would shoot Mr. Charles Fitzgerald, as soon as he would shew his face. Having wasted the night in fruitless expectation of an opportunity of perpetrating the criminal design he had formed against the liberty of his father, and seized on a sword, which the servants, in their hurry, had left in the chaise, he obtained, with great difficulty, a short interview with his father, in which, as usual, he bestowed the most scurrilous abuse upon his brother, with profuse liberality, and restored the sword to his father, who took care to speak to him through a window ; for he would not entrust himself in a nearer parly ; he drew off his men, and retired, oppressed with fatigue and disappointment, to Turlogh, at which time Burke, sincerely rejoiced at his own fortunate escape, left his hiding place, and flew with alacrity



crity to join his master, who congratulated him on his address and prudence, ~~and~~ withdrawing from a man, who probably, to glut his sanguinary and impatient revenge, would not wait for the forms of the law to punish the person for whom he had conceived the most unreasonably inveterate hatred, but would have consigned him to Crofton and the other myrmidons, where he could expect no mercy. The father, who, for many years, had withheld the annuity settled on Mr. Fitzgerald, at his marriage, found that his son had studied the law of retaliation, and dealt out to him, with a liberal hand, the old adage of measure for measure; for he could not now obtain from his son even the means of common subsistence, and was under the consequent necessity of making an application to some of the courts of Dublin for a maintenance, which his son refused to grant, notwithstanding an order to that purpose. This forced the father, once more, to have recourse to the laws, and a writ was given him, empowering him to secure the body of George Robert Fitzgerald, until some maintenance was settled on him. To attempt taking him at Turlogh, would be downright madness, inevitable death must be the consequence; he, therefore, waited until the ensuing assizes, which was to be held for the county of Mayo, at Ballinrobe, and having lodged his son, safe as he thought, in the Grand Jury Room, from which it seemed absolutely impossible for him to escape, he went out to petition the Bench for liberty there to arrest him, representing the danger of his attempting
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it elsewhere; and having obtained his request, he was exceedingly surprized, and severely mortified at finding that the bird had flown through the window, having received some intimation of his design, and secured his liberty, by getting on the leads of a house which joined the Sessions-house, and descending from thence, by a ladder, into the street, where he took his horses that were held in readiness for him, and effected his escape, by a hasty flight to Turlough. The most ungovernable rage succeeded to surprize and disappointment in the father's breast. Every epithet, that could render his son contemptible and odious in the eyes of the Grand Jury, was liberally bestowed on the fugitive. "Search your pockets, gentlemen, (would he cry to them) examine your snuff-boxes! Try the sleeves of your coats! My son has served seven years as a merry-andrew to a mountebank Doctor in Paris; he could hide himself in your pocket-books. The smallest compass would contain him." The gentlemen laughed; they could not avoid it. Whilst this unfortunate old man overturned the seats, and threw every thing in the room into confusion, in a vain search for a man, who was already beyond his reach. Thus was George Fitzgerald, once possessed of a very ample fortune, the esteem of his country, the love of a very respectable wife, and considerable consequence in his country, by his own misconduct, reduced to the narrowest straits for common necessities, became the laughing-stock of his country, was despised by his wife, and disqualified from cutting any figure, or bearing any weight in

in that county, where he once could place his whore, an outcast from a common brothel, at the right hand of a Judge of Assize, the representative of the majesty of Ireland. Thus was he reduced, by his extravagance and injustice, to the necessity of making his own son an object of ridicule, in hopes that he might thereby hide the humiliating means, by which he had reduced himself to so distressing a situation. It was this extravagance, that tore from his arms a wife, who would have gained him honour and respect; and forced him, in his old age, to take up with a prostitute, who had neither youth, beauty, wit, nor other accomplishment, which might excuse his attachment.

Shortly after this, the foundation of that enmity, which proved fatal to both, was laid between George Robert Fitzgerald and Patrick Randle M'Donnel. The reader will not, we hope, think it impertinent to give some account of this latter gentleman, as his disputes, with Mr. Fitzgerald and the Miss Dillons, must give every man a curiosity to become acquainted with his character. It is a task exceedingly delicate; as the opinions of people are so much divided concerning him; some considering him as tainted with the most detestable vices, whilst others, perhaps with equal injustice, look upon him as a pattern worthy of the imitation of the most virtuous. We shall, however, endeavour to divest ourselves of every prejudice against him, as well as of every partiality in his favour, and represent him such as he really appeared to us, not so sanctimonious as he is painted by the one,

one, nor so infamously wicked as the others would persuade us to think him. Let the life of a man contain ever so great a variety of interesting and entertaining incidents, his infamy is most commonly so similar to that of ordinary children, that unless we should repeat some expressions that escaped him, which, to the parents, might seem indications of future genius, we could say nothing of them, which must not prove exceedingly steril and tiresome to the generality of readers: but this is, by no means, the case with him, whose maturer years and cruel death, have engaged us in the present undertaking. For, although the life of George Robert Fitzgerald contains a singular variety of events, yet it is more than probable we would never have troubled ourselves with writing it, had not the murder of Mr. M'Donnel rendered him so conspicuous, as to engage universal attention and curiosity; and as the remaining part of his life has been pretty much taken up with his unfortunate animosity to that gentleman, we have ventured here to give a few sketches of Mr. M'Donnel's conduct. His younger days were marked with a peculiar stamp of wretchedness, and had not the lenient hand of compassion supported him in this hour of early oppression, he must have perished before he could feel his situation. Happy, had he by a timely death, prevented crimes, at which human nature shudders. Mr. Alexander M'Donnel, his father, enjoyed a very handsome paternal estate, which, by settlement, was to descend to his eldest son, Patrick Randle M'Donnel. This was a bar to his indulging
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his natural taste for every expensive amusement, as he could not raise money sufficient on so precarious a security, and as no tie, that could oppose the gratification of his passions, was, in his opinion, binding, he looked on the birth of this boy as the greatest misfortune that could befall him. He had a brother, who, being bred to the law, and having, in the course of a successful practice of many years, realized an estate of about three hundred and fifty pounds a year, at his death, he made a will, by which he bequeathed the estate to his nephew, P. R. M'Donnel. This was an additional incitement to his father's aversion. He was, by these means, rendered independent of him, and could, with impunity, blush, in future, for the vices of his father. A motive strong enough with some parents, for not only hating their children, but for casting them off entirely. So it was with Mr. Alexander M'Donnel. But he had a farther inducement for his cruelty to his son. This estate, bequeathed by his brother, as mentioned above, would be a temporary supply to his extravagance ; and give him time to consider of some method, by which he could hurt his son and indulge himself, by alienating so much of the hereditary estate, as he could procure purchasers for. But lest the son should, at any time, be able to detect those fraudulent practices, he determined to prevent his ever attaining to any education, which might open his eyes. He was not black enough to make any direct attempt upon his life ; but being, himself, ignorant of those delicate feelings that dignify human nature, he could not conceive that

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another should be possessed of disinterested generosity sufficient to excite him to do that for his child, which he was barbarous enough himself to refuse him. He was, however, egregiously mistaken ; for having, when Patrick Randle M'Donnel was but seven years of age, taken occasion, from some little fault he committed, to banish him from his presence and house, he represented to his friends, that he was of a most malicious, wicked, and incorrigible disposition ; hoping, by such a character, to deter any of them from giving him entertainment, or, what he dreaded more, education. Providence, which reserved the child for greater purposes, frustrated the design formed against him. The boy, thus rejected, and criminated by his father, is taken up by his maternal uncle, Mr. Patrick Fitzgerald, of Castlebar ; a gentleman equally remarkable in that country for hospitality, good-humour, and a humane disposition. From him he received the tenderest marks of affection ; at his expence he got a very liberal education ; he watched over his opening genius with affectionate attention, and resolved to fit him for such employment as would be best adapted to his temper and talents. By his own precepts and example, he endeavoured early to instil into his mind a love of independence, and the several other virtues that shone conspicuous in himself. His pains were not thrown away : young M'Donnel imbibed, with avidity, the lessons of his uncle, and did honour to his teachers, by the rapid progress he made in the sciences they undertook to instruct him in. At the age of sixteen, having

having attained a sufficient knowledge of school learning, his generous uncle, having consulted his inclination, and finding his bias to be towards the study of the law, he bound him apprentice to an attorney, paying a handsome fine with him, besides a proper allowance for pocket-money. This generous man would have placed him in a higher sphere, by sending him to the Temple, (though himself, incumbered with a son, the most amiable of youths, and a daughter, a very lovely girl) to qualify him for the bar, had not an impediment in his speech rendered all probability of his shining in that vocation impracticable. The uncle, whose integrity was not to be warped, had probably another motive besides the youth's disposition, for making him well acquainted with the forms of the law. Whilst he thus laboured to qualify young M'Donnel for the sphere of life which his birth entitled him to, the father was at equal pains in robbing him of the possibility of inheriting, after himself, the estates which he was born to. The first step towards this great design, was the suppression of the will made by his brother in favour of his son, and shortly after he sold the estate to a Mr. L——. Had Counsellor M'Donnel known his brother's real disposition, it is more than probable that he would have chosen some other person as trustee on that occasion. Mr. Fitzgerald was better acquainted with him, and therefore watched his movements with a jealous eye. He knew that such a will had been made, and could scarcely conceive on what ground his brother-in-law could sell, or Mr. L—— buy an estate, to which the one had

no better title than the other. He took every possible method of informing himself of every circumstance that could tend one day to the elucidation of his nephew's title to the estate, and had the good fortune of making some discoveries, which he had the prudence to conceal from the young man, lest, elated with the prospect of future opulence, he should neglect his business, or depressed by the knowledge of the difficulties that might attend the recovery of it, he should renounce it, rather than encounter them. To Mr. Fitzgerald it seemed somewhat paradoxical, that a man, who pretended to common sense, should be so hurried away by his unruly passions, as voluntarily to divest himself of the means of future happiness, and reduce himself to the miserable state of a dependent; with nothing left but the glossy exterior of politeness, and devoid of every mental qualification, that can render reflection pleasing, and rob want of its gloom. Young M'Donnel made a rapid progress in his profession, and at length, having ended the term of his apprenticeship to the satisfaction of his master, he practised on his own account. Yet Mr. Fitzgerald thought it too soon to communicate to him his pretensions to the estate left him by his uncle M'Donnel, until he had proved himself worthy of it by a successful practice in his profession. At length, having experienced his proficiency, he thought it proper to make known to him all such particulars as related to his title, and stated to him such difficulties as occurred to him, in the prosecution of his right: they were many, and some of them seemingly unsur-

surmountable. It required a spirit such as P. R. M'Donnel's to encounter the opposition he saw he should meet with ; but this opposition only spurred him on to greater exertions. He was piqued, and seemed as desirous of leaving an example of justice, by which others might be deterred from such mal-practices, as to establish his own right. One obstacle he must get over, before he can proceed at all. His uncle's will he could find no trace of, and that was the foundation on which he must build his suit ; without it, his proceedings must prove nugatory. He examines the records in Dublin, but can there discover no light, no clue, by which he can extricate himself from this labyrinth ; at the same time that his soul is doubly grated, at seeing his property in the hands of another, on a false title ; whilst he has nothing to depend upon but his practice ; nor would he have had that same, had not Providence suscitated to him a generous protector, in the person of his uncle Fitzgerald. The same Providence seems to have favoured him on this occasion, for when least he expected it, he received an anonymous letter, acquainting him, that if he could get at the black box that was deposited at the house of Mr. L—— above-mentioned, he would find some papers in it, that were of the utmost consequence to him. This friendly hint was closed by an earnest request, that he would burn the letter as soon as he had read it. The letter contained so exact a description of the black box, that he could not possibly mistake it. But he was at a loss how he should introduce himself into the house of Mr. L——. Here his father

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often resided ; here he considered that these papers, through which alone his fraud could be detected and disappointed, would be safer, and more out of the power of his son, than any where else. Something must be done ; some plan must be struck out, by which Mr. P. R. M'Donnel may get those papers into his hands. Long he taxed his invention to no purpose : many schemes he formed, but in all, upon examination, he discovered some unsurmountable obstacle. At length, he found that he must use dissimulation ; and yet he had to do with a man, who feared him above all others. His diffidence rendered him so cautious, that for a long time he would enter into no negotiation whatsoever with his son ; lest some expression should escape him, that the other would lay hold of. Nor was his jealousy of Mr. Patrick Fitzgerald inferior to that he entertained of Patrick Randle M'Donnel. He had long since dropped all connexion with that gentleman ; he repented his generous benevolence to his son, and could not forgive him his happiness, in possessing, in a supreme degree, what he had himself long since lost, the esteem and good-will of all ranks in the neighbourhood. Patrick Randle M'Donnel was under the necessity of hiding his impatience under a mask of indifference ; but professed that he had a great reluctance in entering into a suit, which must necessarily redound to his father's dishonour, and that he would be much better pleased to sacrifice a good deal of that to which he was well entitled, and which he knew he should in the end recover, than have his father's name called, and recorded in the most

most frequented place in the whole kingdom, a place where, at every term, there are persons from every county in Ireland, who must hear, take notice of, and transfer to their several neighbourhoods a transaction, which, he was sorry to say, bore upon the face of it the indelible stamp of the most profound iniquity. This mixture of flattery and menaces proved successful in the end. Mr. Alexander M'Donnell consented to an interview, and thinking himself as cunning as any man, after some conversation, he proposed to adjourn the discussion of the affair to the house of Mr. L——; and told his son, that as he was well skilled in the law, it would be proper that he should talk over those matters, where the presence of Mr. L—— would render them equal. Though this was the object of Patrick Randle M'Donnell's most sanguine wishes at that time, he affected an apprehension of Mr. L——'s superior abilities, pretending, that he foresaw a very considerable loss to himself, by Mr. L——'s knowledge; by his conduct, he made his father more and more eager for bringing the conferences thither. At length, the son condescended, with seeming diffidence and reluctance, and conducted himself with such an appearance of sincerity, that he lulled his Argus asleep, and after a considerable time lost in fruitless conversations, which he purposely spun into length, he found, and seized the opportunity of their absence, and broke open the black box, he took out of it all such papers as could tend to his recovering the estate he was unjustly deprived of for so long a time. It is easy to imagine

gine that he did not wait for the return of those whom he now dreaded to see, but instantly took horse, and without considering the poor beast's wrongs, he drove him as hard as possible, until he thought himself out of danger, often looking back with ardent eye and beating heart, to guard against surprize. He arrived at Castlebar, covered with sweat and dirt, and joyfully communicated his success to his uncle Fitzgerald, who congratulated him on his happy prospect; but cautioned him against the steps, which he, who well knew the disposition of the father, foresaw would be taken to punish his theft (as it would be interpreted) and render his most sanguine hopes abortive. But Mr. Fitzgerald was not so well acquainted with the uprightness of the Judges, who then filled the benches of our Courts of Justice, as young M'Donnel was; who moreover placed a great deal of confidence in his own innocence, and the now indisputable justice of his cause. Nor was Mr. Fitzgerald deceived in his prognostic, for the father, on his return to Mr. L——'s, finding the box broke open, fell into the most extravagant rage, railed at the pretended villainy of his son, and posting off to Dublin, lodged the most virulent information before the King's-bench, that ever was conceived by the most inveterate malice against the object of most deadly hate. A warrant is issued in consequence of the information, and this unfortunate young man, on his arrival in Dublin to prosecute his pretensions to his uncle's inheritance, is seized in the street, and dragged like an ignominious culprit to the common goal, there to wait until the next general

neral goal delivery, then to abide his trial, for burglariously breaking open a box, the property of Alexander M'Donnel, his father, and feloniously, wickedly, and maliciously taking therefrom, and thereout, several papers of very considerable value, besides cloaths and money to a large amount.

Such a scene was never exhibited before, in any country that we could hear or read of, even in the ages of barbarism, as was now exposed to the eyes of the public. A father, far from palliating the faults of his offspring, becomes himself the virulent prosecutor, and anticipates the delight of bringing his son to an untimely and ignominious death. Anxious expectation of the issue of so unnatural a trial fills every breast. Thousands crowd about the courts, to have the earliest intelligence of what shall be the fate of a man, whom every body pities, though few can believe him innocent. He is brought to the bar, he is arraigned, and pleads not guilty to so much of the indictment, as he was really innocent of. He produces the papers he had taken, and explains the necessity of getting them into his hands. The Judges, the Jury, the numbers, whom curiosity brought thither, are (notwithstanding the positive evidence given by the father of a robbery committed) convinced of his innocence, and acknowledge the justice of his conduct. An universal hiss of disapprobation, contempt, and horror pursues the father through the streets: he is pointed at by all, and returns to the country, more mortified at his disappointment of

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expected revenge, than at the marks of detestation so liberally bestowed upon him by all ranks and conditions.

Patrick Randle M'Donnel, being thus acquitted with honour of the charge brought against him, lost no time in asserting his right. He applied to the Lord Chancellor, whose upright conduct, whilst in that office, have gained him the esteem of all; and soon brought the cause to a hearing. The defence, on the side of the purchaser, was conducted with all the perseverance and address that it would possibly admit of. Not a quibble (and I am sorry our language is so deficient, as to admit of quibbles) was omitted, that could tend to misguide the Judges, confirm the sale, or frustrate the lawful proprietor of his right; and when the defendant saw, that the Judges were upright, that the sale was fraudulent, and that P. R. M'Donnel's title was indefeasible, he studied, by every art of procrastination, to protract the decision, in vain hope, that some extraordinary event would come to pass, which would vest in himself an estate, that he had obtained for much less than half the real value. But where a man, of sentiments so noble as the Chancellor of Ireland, holds the ballance, vile fraud, with all her train, must yield to glaring truth, and hide her guilty head. Such was the case in this momentous cause. Right took place at last, and Mr. M'Donnel, the son, obtained a full and decisive victory. Happy at his success, he flew to the country, possessed himself of Tourmore, and at an elegant entertain-

tainment, given by him to a numerous acquaintance, he changed the name of it, and called it Chancery-Hall. And here we must beg leave to make a few remarks on the entire of the conduct of Mr. Alexander M'Donnel, with respect to his son. If a child, in the earlier part of life, should shew so vicious a disposition, as to render it necessary for a parent, (not to divest himself of those feelings implanted in all living creatures for their offspring, by the bounteous hand of nature, or rather by the benevolent inspiration of the great creator but) to veil his affection under the appearance of severity; there are degrees and modes of punishment, authorized by the laws of God and man, which inflicted with moderation, at proper intervals, will not only prevent the growth of evil qualities, but when age has matured reason, will extort from the child that grateful tenderness, that obligatory respect, which a due discharge of the relative duties of parents will imprint on the minds of children, who, by this timely and moderate application of chastisement, are made sensible of the prevention of misfortunes, which must result from inherent and uncorrected vice. But although this timely and moderate exercise of parental authority has received the sanction of human and divine laws, no man will dare to maintain, that the abuse of it can meet the approbation of either. Too much severity to a child indicates a depravity of heart, which if not restrained by fear of too powerful a resistance, would extend to the other branches of the community; and all ranks would arm their minds with diffidence and detestation of the tyrant,

rant, who, forgetful of the ties of nature, extends his cruelty to the fruit of his own loins. Hitherto we have spoken only of that kind of punishment, which is corporally inflicted on a person, not yet endowed with that degree of reason, which qualifies us to judge between good and evil. But what excuse can be adduced, to palliate the barbarity of that parent, who can wantonly, or for motives still more criminal than simple wantonness, or barbarity of disposition, not content with inflicting the most excruciating corporal punishment, will drive a child, at the tender and almost helpless age of seven years, to seek for that protection, which the inhuman author of his being refuses him, among strangers and aliens ? What idea must the feeling mind entertain of such a barbarian ? Yet this is mercy, if compared to the more than savage ferocity of the monster, who delights his heart with the certain hope of glutting his inhumanity with the blood of his own son ; not as a generous assassin, who contents himself with the life of his victim, but similar to the treacherous, tyrant Cat ; studies unheard-of torments, to add to the loss of life. Infamy and publicity are scarcely sufficient to gratify his hellish malice. Invention is put to the rack to aggravate, if possible, the already too, too inhuman persecution ; and to crown the scene, a curse, the curse of an uninjured father is entailed on the unoffending son, merely because he would not submit to want and misery, sooner than assert his right to a property, which he had been unjustly robbed of, and for which he had undergone such unprecedented hardships.

ships. It can scarcely be doubted but that a suit of such long continuance, and in which he was so nearly concerned, increased the knowledge of Patrick Randle M'Donnel in the practical part of his profession. To say that he misapplied his talents would be an assertion, which we could not warrant. Certain it is that he made himself some enemies, and those of the wealthiest and most powerful men of the county of Mayo, whose lawless exercise of tyrannical power over their tenants called forth either the humanity, or the pride of Mr. M'Donnel. He encouraged the tenants to oppose their unmerciful landlords, and undertook their defence with alacrity ; but whether this disposition proceeded from personal resentment against the oppressors, or from a generous compassion for the sufferers, must remain in uncertainty ; as some will attribute his conduct to the one, some to the other. Be his motive what it would, he found frequent opportunities of exerting his talents and apparent benevolence ; for that county abounds with gentlemen, some indeed endowed with sentiments that add splendor and utility to their characters : others who would think themselves disgraced, should compassion, benevolence, or affability shade their fulsome pride, and groundless self-sufficiency. To these last Mr. M'Donnel took delight in giving opposition ; to the former it was needless, as their own humanity prevented them from doing that, which could rouse his indignation. That he would not crouch to wealth, power, or interest, although thereby he might amplify his slender finances, is too universally known :
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that this temper was nourished and buoyed up partly by pride, we shall not hesitate to aver. One family, above the rest, was the constant object of his watchfulness. We are sorry to say he had too often occasion to interfere in its affairs, as twice a year regularly there were complaints made to him (no other attorney would undertake such causes) of measures so very tyrannical and oppressive, as must have alarmed the tenantry of the whole country, were public spirit and the good of the community as prevalent in the breasts of all as they should be. But whilst every man considers only his own advantage, precedents will daily creep into all branches, which will, in the end, be adopted by all, and monopoly, confusion, oppression, and final anarchy must be the consequences of this self-interested supineness. A certain man of fortune in the county of Mayo, whose name we think it improper to mention, having discovered that a man of the name of Gibbons held a park, by a lease from the landlord's father, of which several years were yet unexpired, and which would add considerably to the beauty and convenience of his demesne, made a demand of the lease, which Gibbons agreed to yield, provided he would give him a consideration sufficiently valuable; but this the landlord did not think it convenient to comply with; he wished to get the park without any payment; and as men of wealth and power will readily find wretches ready to devote themselves to the gratification of their passions and pleasures, the landlord did not long want people of this stamp, who undertook to vex the
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the unfortunate Gibbons into a compliance. Whilst sleeping peaceably, after wholesome labour, in the arms of blooming beauty and healthful infancy, his cattle are removed from his own park into the landlord's demesne; they are pounded of course, and such exorbitant trespasses required as amounts nearly to their intrinsic value: he releases them, however, but the same villainous practice being repeated, he is, at length, under the necessity of applying to Mr. M'Donnel; that through him he may obtain, from the laws of his country, a redress of his grievances. An appeal to the laws of Ireland, when conducted in a proper manner, cannot fail, from the known integrity of our Judges, of giving the wished-for relief, and must convince the unjust oppressor, that speculative projects of tyranny are vague, that honest poverty will sooner or later find a protector, and that actual injustice will, at one time or other, certainly meet with that kind of chastisement, which makes the evil recoil, with ten-fold violence, against the breast of its projector. Such was the case with Gibbons and his landlord; the former being through the spirited and uninterrupted diligence of Mr. M'Donnel, put into the peaceable possession of his holding, with an order for full costs.

The same landlord, having taken umbrage at a trifling omission of ceremony in a Mr. Clarke, his tenant, orders his bailiffs, (the cheerful obedience of which denomination of men, or rather brutes, under the mask of manhood, to the most unjust and oppressive commands

mands-of their masters, is too well known) to seize upon the household furniture of Mr. Clarke. A spirited resistance, on his side, having provoked the Lord ———, of the soil, he gets warrants against his person, and sends the obedient blood-hounds to execute it. Clarke gave bail, and had a supersedeas in his pocket, which he produced ; yet he is bound with ropes, dragged through a public fair, and exposed to every species of insult. With difficulty he obtains his liberty, and seeks redress from the laws of his country, through the skill and spirit of Mr. M'Donnel ; and it appearing to the Judge, and the most respectable Jury, that he only opposed an illegal act, (he having offered cattle to the bailiffs to an amount much larger than the rent due by him) he is honourably acquitted ; whereas the humble instruments of his landlord's tyranny, being convicted of a proceeding diametrically contrary to the laws, are convicted, and would be severely punished, had not Mr. Clarke himself generously interceded for them, and obtained a mitigation of the sentence, which he saw ready to be thundered out against them. Thus did Mr. M'Donnel successfully oppose the usurpations of the nabobs of the county of Mayo : but, although by those measures he gained himself the esteem and attachment of those whom he defended, and of their numerous friends, he created to himself a small number of powerful and inveterate enemies, who omitted no advantage, by which they could hurt his character ; his person they dared not to attack, as his courage gave them lively apprehensions for their own safety, and kept them

them at bay ; whilst he continued the same line of conduct without deviation, many instances of which we could here adduce, did not we think the above sufficient to delineate his character.

To follow Mr. M'Donnel through those minutiae, which cannot tend to amusement or instruction, and are by no means characteristic, would be throwing away time to no purpose. Some circumstances, however, though seemingly trifling, are in reality useful, as, from them, we are better able to judge of the disposition and natural bent of a man's inclinations. Whether he originally disapproved of duelling, is a point of knowledge now impossible to be attained ; but that he has fought some duels is a matter of notoriety.

One instance alone of his conduct on such an occasion we shall relate, the rest being either obscure, trivial, or attended with circumstances, by which the characters of persons, now living, might be hurt ;—a conduct which we have hitherto endeavoured to keep clear of, and into which, if the necessity of gratifying our readers shall force us in the sequel, we declare it is not with an intention of giving offence, or prejudicing the reputations of such persons, but merely through the impossibility of bringing our work to a conclusion, in any degree of order or perspicuity, without such quotations. Confident that the persons themselves, whom we must thus name, will make proper allowances for our situation, and do us the justice of ac-

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knowledging, that our impartiality will appear in this, that not a word shall escape us but what is strictly true, or solidly grounded on truth ; with the additional ornaments of diction only. Mr. M'Donnel's profession rendered his attendance in Dublin necessary during the terms. He had a stable in Castlebar, of which he had a lease taken before he recovered Chancery-Hall, and which was frequently unoccupied : he lent it to a friend until he should have occasion for it. The occasion came, and to his very great surprize, he was absolutely refused possession of it. Incensed at so unreasonable an usurpation of his property, he gave way to anger, and, in his passion, broke open the stable, and, without farther consideration for so unreasonable a man, he turned the beast adrift, that then occupied it. This provoked the other gentleman to such a degree, that he spoke in pretty severe terms of Mr. M'Donnel, who amply retaliated upon him with such additional strictures and reflections as stirred him up to send him a regular message. Though Mr. M'Donnel well knew that the laws denounce very severe penalties against duelling, and although we must, ourselves, declare that we consider the breach of them exceedingly censurable, yet we will not hesitate to aver that there are cases in which it becomes absolutely unavoidable for a man to contravene the laws, and do himself justice in offences for which they made no provision. For how can a man of any feeling or generosity bear to hear himself traduced and branded with epithets which the laws will not take cognizance of ? Or how can he redress
himself,

himself, unless by the method of duelling? as practised in all ages. We do not wish, however, that it should be imagined that we encourage a breach of the laws—No: our wish is, that the Legislature would take up the subject, and supply this deficiency by an act, which would appoint proportionable degrees of punishment for the several sorts of offences which a man is liable to receive in the course of life. Our readers will, we hope, forgive us this short digression, as we shall now return to our subject. Mr. M'Donnel well knew that his refusing to answer the message, would expose him to insufferable insults, not only from the challenger, but from every other impertinent coxcomb, who would vain establish his own reputation of courage on the known timidity of a man branded with the infamous name of coward; whereas these insolents would not dare to expose themselves to chastisement, had they even a doubt of the person over whom they would exercise their tyranny, being possessed of so much bravery as would retort their bravadoes by a spirited exertion: he, therefore, appointed a time and place for the decision of this dispute. The friends they chose, though persons of moderation and good sense, saw the necessity of their exchanging shots, as, otherwise, malevolence might take occasion of spreading reports, which could not fail of affecting themselves sensibly, as well as their principals; but as soon as each had discharged a pistol, they interfered, and effected a reconciliation, which cemented the friendship that had before subsisted between those gentlemen, and continued

uninterrupted during the life of Mr. M'Donnel ; nor did it cease even after his death, as the gentleman gave irrefragable proofs of his attachment to the deceased, in the most indefatigable exertions to bring to punishment the authors of that horrid murder, and in lively efforts to revenge his friend's death on the instigator of it.

We have already given our reasons for not entering into a detail of the other duels Mr. M'Donnel was concerned in ; and shall now proceed to represent the most interesting period of his life, except that which brought about his fatal catastrophe—a period big with events,—the pernicious consequences of which required all his skill and most vigorous exertions, as, without them, his reputation, which should be as dear to a man as his life, and dearer much than fortune, was at stake. To give a just idea of Mr. M'Donnel's situation in this critical business, and to enable every man to judge for himself on the occasion, independently of the various reports spread by the friends of either party, we shall trace his transactions with the Miss Dillons from their source. For many years these ladies had struggled with adversity, and with difficulty, through the interference and assistance of Mr. Pallas, recovered some parts of an estate of very considerable yearly value, in the county of Mayo. Some reasons, to them best known, made Mr. Pallas withdraw his counsels, and obstacles upon obstacles delayed their recovering the largest and most valuable part of the estate ; there even was great
cause

cause to fear that unless some person of spirit would undertake the affair, this most essential victory would remain uncompleted. For some time they could not find the man who would run the risk of pursuing the suit in the uncertainty of ever being paid, for the parts they were already in possession of, would scarcely pay the debts they had contracted. Having heard of Mr. M'Donnel, they made application to him, and he readily took upon himself the conduct of that hitherto intricate business. That the ladies made him promises of generous gratitude, and reward will, I think, scarcely admit of a doubt. His assiduity and exertions were such, that, in a short time, he obtained an order of Court for putting the Miss Dillons into possession of several denominations of land specified therein, and directed to the Sheriff of the county of Mayo. The Miss Dillons having never resided in that country, were but little known there; whereas their opponent, by spending a good deal of time among the people, by his affability and some other concurrent circumstances, was possessed of almost universal good-will among all ranks. Mr. M'Donnel discovered that this man had written letters to some of his partizans, praying opposition on the part of them and their adherents to the possession; he saw the necessity of expedition and vigour. He flew to the county of Mayo, and having called the sheriff along with him, they came unexpectedly on the lands before their intended opponents were prepared for them. But though they met no open or violent opposition, a circumstance happened in the course of this possession, which was made
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the pretext for accusing the two gentlemen of cruelty and inhumanity. In the ancient mansion-house of Feamore, once the seat of hospitality, peace, and plenty, but now little better than a shepherd's cabbin, dwelled, at that time, a woman of very honourable descent, but reduced by misfortune, or misconduct, not her own, to very narrow circumstances, stretched on the bed of sickness and old age, and scantily provided with the very necessaries of life. Had Mr. M'Donnel and the sheriff left her undisturbed, it might be cause of future litigation. They would then have failed of fulfilling the object they had in view, which was totally foreign from their design; certainly neither was inclined to prejudice the sick woman; they, therefore, with their own hands, assisted in conveying her out of the house, and offered, but to no purpose, a considerable reward for a conveyance, to leave her safe in a neighbouring house: this circumstance was made use of as a handle to hurt the characters of Mr. M'Donnel and the Sheriff; neither of whom, I am sure, wished to be guilty of a wanton or unnecessary act of cruelty, and nothing but the impossibility of doing their duty without removing the gentlewoman, could have forced them to molest her at that time, and in such a situation. The tongue of malice immediately filled the trumpet of Fame with an envenomed blast; yet none but those who would not be at the pains of reflecting, or who rejoiced at so good an opportunity of blackening a character, gave credit to the report. And who can undeceive those who delight in scandal, or take pleasure in seeing

ing things through the lying mirror of misrepresentation, without taking pains to examine the faithful glass of often grating truth ? The Miss Dillons did not consider the matter in an unfavourable light : they came to the country, were received as the lawful proprietors of the estate, possessed it entire, displaced some of the tenants, for reasons unnecessary to be repeated, and settled the entire on a footing, which they thought was the most secure to them ; sent for Mr. M'Donnel, and in the enthusiasm of gratitude, passed him a bond for six hundred pounds, and made him a lease of part of the estate, as an additional remuneration for his exertions in their favour. For two years he made no application for rent out of the farms granted in lease to him ; hence some persons imagined, and possibly with equal justice, that the leases made to him were but a trust for the purpose of securing to the one sister a species of settlement from the other ; but whether this was really the case, or whether his forbearance proceeded from real disinterestedness, we must still leave to conjecture, as it is now impossible to come at the truth. However, at the end of two years, being in the neighbourhood of the farms, he was accosted by John Treston, as he calls himself, but his real name is Trustnane, who in a tone which would have given offence, if made use of by a person of birth and education, demanded where he was going ? Mr. M'Donnel making allowance for ignorance and impertinence, replied, that he was going to receive his profit rents out of Lavallyroe. He was immediately
asked

asked by Trustnane by what right he claimed those rents, and was answered, by virtue of a lease perfected to him by Miss Eliza Mary Dillon. To this was subjoined by Trustnane, that if Mr. M'Donnel had such a lease, it must be a forgery. Whether John was made acquainted with this transaction by the Miss Dillons, or no, is a matter of doubt. Mr. M'Donnel was surprized, and certainly must have been irritated by such an assertion; but he did not think, that punishing the insolent offender, was the proper method of obtaining a satisfactory reparation of the injury. He did not doubt but that the Miss Dillons would vindicate him on the occasion. He accordingly brought another gentleman with him, and proceeded to the house of those ladies, confident that they would, without hesitation, acknowledge their having given him those leases; but he was disappointed, for they told him peremptorily, that Trustnane had spoken by their authority. But upon his urging them farther, they would not positively assert that he had committed a forgery, expressing themselves in the vague words that Trustnane spoke by their authority. Mr. M'Donnel now found himself under the necessity of asserting his right to the farms under the leases: but as his knowledge of the law pointed out to him the surest means of success, he thought it would be more prudent and effectual for him to possess himself of the receipt of the rents first, by virtue of custodiams for the other creditors of the Miss Dillons, than to make a claim immediately in his own name. He accordingly went to Dublin, and obtained
a writ

a writ of custodiam; and having proceeded to Lavallyroe, accompanied by two gentlemen and two servants; he there explained to the tenants assembled, the power he had of receiving their rents, for the use of the custodees. Denis Dunn, servant to the Miss Dillons, was present, and impertinently interfered to such a degree, as to provoke Mr. M'Donnel to command him away, but in vain: the fellow persisted not only to remain, but likewise to make use of some expressions, highly disrespectful to Mr. M'Donnel, who at that time bore the commission of the peace for the county of Mayo. His patience being exhausted, he ordered one of his servants to take the fellow into custody, which was immediately executed. No sooner was this man made prisoner, than a murmur ran through the whole body of the tenantry. Stimulated by their attachment to the Miss Dillons, their dread of John Treston, who was agent, driver, receiver, and confidant, or their own wickedness, they resolved to rescue the servant; Mr. M'Donnel saw, but derided the approaching storm. Not so did the two gentlemen who were with him; they knew the riotous disposition of those fellows, and had prevailed with him to bring pistols with him, and now to escape if possible. He placed his prisoner behind one of the servants, and at full gallop got out of reach of his pursuers, who followed him with all the haste possible, armed with sticks, pitchforks, rusty bayonets, and such other weapons; even their women filled their aprons with stones, and joined in the chase. One man, in particular, instigated by the

the Devil, with threats of immediate destruction, forced a traveller who passed at the time, to quit his beast, and resign him to him. He got upon him, drove him at full speed, and having come near Mr. M'Donnel, alight, presented a loaded musket at him, and three times mislaid fire at the small distance of about thirty yards. This was a most fortunate escape, and enabled Mr. M'Donnel to get to Castlebar, where he suffered the prisoner to be bailed to the next assizes. This step, he took rather in terrorem, than from any other motive. What an influence must the dread of, or attachment to a landlord, have over the minds of a tenantry, when they can be thus induced to attempt the life of a gentleman and a magistrate, for a simple act of justice, in punishing the insolence of a servant; or rather how remiss must the magistracy be, that will not exert themselves in putting the laws in execution, by which such acts of violence would be prevented, and a terror struck into such lawless desperadoes?—Whether impelled by compassion for those deluded wretches, or by political views, Mr. M'Donnel did not prosecute his resentment against them to any degree that might prejudice them, or hinder their attention to their occupations; he left them unmolested in possession of their houses and holdings. He very probably feared, that if he sought legal vengeance on them, for the attempt upon his person, they would to avoid it, neglect their business, or fly from the country; and that by those means the custodees, who had entrusted him with the receipt of the rents, might become real sufferers.

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He was informed that the Miss Dillons openly declared that he should never receive a shilling of those rents, on any pretext whatsoever, lest he should by those means be hereafter entitled to receive them, by virtue, and in consequence of the lease he had.

This information roused Mr. M'Donnell effectually : he saw the necessity of exerting himself, yet he was unwilling to proceed to extremities. Had he made application to the courts, from which he had received the power of collecting those rents, he would have obtained speedy redress ; but he did not chuse to trouble Government or the Judges ; nor did he wish to expose the unruly infatuated tenants, to the consequences of bringing the regulars amongst them ; as he knew, that the turbulency of the ignorant multitude, would draw upon themselves that just vengeance, which he had endeavoured to screen them from. Yet he could not with safety go among them, to make good his claim, without such an armed force as would prevent their carrying into execution, the sanguinary threats they daily vociferated against him.

He accordingly assembled about sixty of the MAYO LEGION, which he then commanded as Colonel ; and having called upon several gentlemen to be the witnesses of his conduct, he advanced, in open day, to Lavallyroe, where he took up his quarters. His march through the country, attracted the notice of all ranks ; and numbers hastened to the spot with the intention

tention of learning the authentic cause of such an unusual appearance. Many gentlemen of consequence, were among the spectators.—Messrs. Dillon, of Hazlehill, and Lung, took the most active part of any. They did not yet understand the nature of Mr. M'Donnel's claim to Lavallyroe. They pitied two ladies, whom they considered as unexperienced and helpless; they wished to serve them, for they were of kin to them :—they enquired of Mr. M'Donnel himself, the cause of his coming in so hostile a manner : and he spoke to them in terms, which they looked upon to be so reasonable that they instantly acknowledged, that they could see no cause, why the ladies should refuse to agree to the measures which he proposed. They were as follow :—He did not at this time intend to urge his own right to the profit rents of the farm. He was appointed agent to the custodees : he produced the order of the Courts, by which he was constituted receiver of those rents. Notwithstanding the aspersion thrown upon his character, by the authority of the Miss Dillons; he yet was satisfied to wait until he could fully clear himself of that scandalous imputation, and would content himself and withdraw, provided the rents were lodged in the hands of either of the two gentlemen above-mentioned, or of Mr. Edmond Taaffe, of Woodfield; or in short, of any other honest and responsible man of the county; who would be forth coming to him, to the Courts, or to whom they should, upon due enquiry, appear to belong.

Every

Every one present approved of Mr. M'Donnel's moderation ; and the Messrs. Dillon, of Hazlehill, and Lung, undertook to represent it in a proper light to the ladies, and to obtain their consent to his proposal. They went to Cottage, the name of the place where the Miss Dillons resided. John Treston was then absent. They recommended a compliance with Mr. M'Donnel's proposal, and obtained their approbation of it. They prepared to return, and flattered themselves that they would be able to bring about a perfect reconciliation and good understanding between Mr. M'Donnel and them. But a new, an unaccountable, incomprehensible event happened, in consequence of John Treston's arrival ; and destroyed at once the ærial fabric, which the gentlemen had already erected. John, made acquainted with the conversation that had passed between the Messrs. Dillon and the ladies, denies his consent, and the ladies prefer his advice to that of men respectable, experienced, of sound judgment, and unprejudiced, if not in their favour. He is dispatched after them with a disavowal of what they had before assented to, and they come to Mr. M'Donnel, with disappointment and disapprobation strongly depicted in their countenances ; and inform him, that their negotiation had proved ineffectual, nor could they now, with any degree of propriety, require him to desist from the proceedings, which the law authorised him to follow on the occasion.

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We could here indulge ourselves, in riot impertinent reflections; but our tenderness for the sex, that lovely part of the creation, on whom our greatest happiness depends, imposes silence upon us, and bids us rather spare the guilty adviser, than lean on the credulous compliers with the advice of a man, whose only aim was to preserve an influence, which he had gained by the meanest, but most artful methods, for the basest, and most criminal purposes, that of enriching himself at their expence; and of keeping them in ignorance of his designs, lest they should ruin his projects by a discovery of his mal-practices. He was amply endowed with that low kind of cunning and penetration, which enables a man, though meanly born, and uneducated, to pry into, and profit by the natural or acquired weaknesses of wealthy individuals, and worm themselves into their confidence, always to their prejudice, often to their ruin and shame. He had consequently found out the means of rendering himself necessary to them, by supplying their wants from their own purses; for John would buy provisions at his own prices from the tenants (he was more their landlord than the Miss Dillons, and him alone they feared) and sell them again to the ladies at a much higher valuation. This fraud they never discovered, as John alone settled with the tenants, and passed them receipts in their names. Thus did he continue successfully to prey and impose upon those ladies, until he had brought them into his debt a full thousand pounds sterling, for which he condescended to take their joint bond, at six pounds
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per cent. per annum, besides a lease of a place called Ballybane,—a part of their estate, at a very moderate rent. Mr. M'Donnel finding himself under the necessity of putting the laws in force, was yet unwilling to proceed with rigour. He temporized ;—he used every gentle method to bring the tenants to a submission ; nor were his wishes entirely disappointed ; many of them, being convinced by his moderation and undeniable arguments, that he was right, were induced to pass him notes for the sums he was entitled to receive from each of them. This mode of payment, though very objectionable and unsatisfactory, he, to avoid distressing them, condescended to accept of. Two nights he remained amongst them, lying in a tent, nor would he accept of the many invitations he had from the neighbouring gentry, lest, in his absence, any disorder or riot should happen ; he likewise wished to give the tenants every possible opportunity of submitting, that they might have no excuse to palliate the severities which their own obstinacy might compel him to exercise against the refractory. Two only shewed a resolution of persisting in their contempt of his right, and those two he punished with all possible severity, as he ordered their houses to be pulled down, and their household goods to be sold by public cant. As an event of considerable importance, in the life of Mr. M'Donnel, happened in consequence of this order for throwing down those two houses, we shall beg leave to be more particular about it, the better to throw light upon the persecution he suffered for what certainly was done without his command,

command, consent, or privity. When he had given orders for throwing down the two houses, he called one of his men to him, and desired him to bring some water, and take particular care to extinguish any fire that might remain in the houses. The man obeyed, and came to the house with water, where he was met by the wife of him to whom it belonged, who undertook to fulfil Mr. M'Donnel's intention, the man weakly complied with her proposal, and she, instead of extinguishing the fire, took care to heap a large quantity of combustibles upon it, by which, indeed, she was near succeeding beyond her expectations, in revenging the pretended injury done to her ; for, at this time, there were some of Mr. M'Donnel's men on the roof stripping the house, who were almost suffocated with the sudden clouds of smoke, and two or three of them had their cloaths scorched upon their backs. This accident was made the foundation of the most inveterate persecution against Mr. M'Donnel. It is evident that a design was formed to take away his life, as by those means alone the report of a forgery could be established, when he was no longer capable of repelling the calumny. Informations were lodged against him, and every step taken to deprive him of those lenient indulgences which the equitable laws of the land bestow on the accused. Persons of ample property present themselves to become his bail ; but an honourable gentleman, yet at the bar in this kingdom, opposed the lenity with all the interest and eloquence he was master of, nor did he blush to declare that if Patrick Randle M'Donnel was
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set at liberty, or even sent into confinement to Castlebar, the two best regiments in his Majesty's service, could neither re-take him, nor prevent his being rescued from the gaol. A worthy lawyer who heard the expression, remarked, that Mr. M'Donnel could not be so bad a man as he was represented to the court, as it would be impossible for a man of such a bad character to gain such universal esteem in the county of Mayo; and added, that he would undertake, with six of the worst men in his Majesty's armies, to keep the noble lawyer and all his family for twelve months in the common goal of Castlebar, as no one man in the county would be at the trouble of rescuing them. Mr. M'Donnel was at length admitted to bail, and went to the country to stand his trial at the next assizes. In the interim Treston took all the pains in his power to ensure success to his own project of having him found guilty, and accordingly suborned some of the tenants to swear that the house had been burned by the order of Mr. M'Donnel. Some of them, fearful of John's violent and vindictive temper, yielded to his solicitations; others whom honesty and religion preserved in their uprightness, preferred resistance to sordid compliance. But this was not the only step John had taken to compass his design, in order to deprive Mr. M'Donnel as much as possible of the means of defence; he had the names of as many as he could possibly recollect or discover of the companions of that gentleman inserted in the same or other indictments, that their testimony might not rob him of his victim. He

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was, however, disappointed, for some of them escaped his diligent search, and gave such clear testimonies of his innocence, that he was honourably acquitted by a most respectable Jury, and threw Treston into a state of mind impossible to be described : but whilst John was preparing for the destruction of M'Donnel, all his schemes were on the point of being blasted by the interposition of a gentleman, whose probity and numerous amiable qualities have procured the esteem and veneration of all his acquaintances. Sir Neil O'Donnel called at Cottage, and so strongly recommended to the Miss Dillons to procure a reconciliation with M'Donnel, that conscious of the importance and disinterestedness of his advice, they empowered him to make overtures, and propose a basis on which a future peace could be built. Sir Neil cheerfully accepted of the commission, and proposed such terms, and in so soothing and prevalent a manner, that Mr. M'Donnel consented to set a treaty on foot. The Knight was rejoiced at his own success, and immediately wrote to the Miss Dillons to send him larger powers, and to name some other person or persons to assist in bringing about what he doubted not but they sincerely wished. John, who was seldom admitted to the presence of the Ladies when persons of rank were with them, was made acquainted with the confidence placed in Sir Neil O'Donnel, of which he loudly disapproved, and threatened immediately to forsake them if they did not revoke what they had done, and let the prosecution go on, assuring them that from the measures he had taken, they could not fail

fail of having their most sanguine wishes gratified, by the condemnation of their enemy either to death or banishment. John had rendered himself of too much consequence to them—they were too much in his power, and must consequently comply with his commands, though we will suppose they must have disapproved of them, and resented the arbitrary manner in which they were delivered. The power given to Sir Neil is therefore recalled. When he received this incongruous revocation, he verified the beautiful line in Virgil's *Æneid*.

Obstupuit steteruntque Comæ & vox faucibus hæsit.

He could scarcely believe that the Ladies could be capable of such an inconsistency, and for a while remained in motionless and speechless amazement, at length, however, contempt and resentment took place in his breast, he did not conceal his sentiments, and by these means confirmed the good opinion which some already entertained of Mr. M'Donnel; brought the indifferent to wish him success, and forced the partizans of the Miss Dillons to conceal their partiality, lest they should involve themselves in the odium which their unaccountable conduct drew upon them. Were we inclined to partiality for Mr. M'Donnel, we could here indulge ourselves in reflections on the above transactions, but we would be sorry to deprive our readers of the pleasure of drawing such consequences as to them will seem most just. We shall only say, that the simplicity of the

narration, and our carefully avoiding those studied periods and elaborate phrases by which writers generally endeavour to transfer their own sentiments to the minds of their readers, will, we flatter ourselves, convince the world that truth alone has guided us in our undertaking.

We will now leave the Miss Dillons and John Treston to the judgment of the public, and bring Patrick Randle M'Donnel back to that period at which the foundation of that enmity was laid which occasioned the death of five persons, who, had not the competition between George Robert Fitzgerald and him taken place, might prove, if not ornamental, at least, useful to society.

How a circumstance so trivial as this we are going to relate should occasion so important an event as was the consequence of it, is one of those arcana which providence, for its own wise purposes, permits, and, at the same time, conceals from the weak, but curious remarks of man. And that it was the real cause of the enmity which Mr. Fitzgerald bore to Mr. M'Donnel, will, we think, admit of no doubt, as it certainly was the very first altercation they ever had; and that Mr. Fitzgerald, shortly after, embraced an opportunity of testifying his displeasure, and indeed his soul must have been very vindictive, as he transferred his hatred of Mr. M'Donnel to every person who was either allied to him by blood, or united to him by the bonds of friendship. Lord Lucan, who, whilst

whilst Sir Charles Bingham had been the terror of corrupt ministers, and the bulwark of liberty, who thundered out the most manly eloquence in the most energetic and successful speeches, in opposition to ministry, when their measures were likely to prove prejudicial to his country, and cheerfully united his suffrages to those of venal partizans, when the desires of the crown were lawful, scorned now to assume an authority over a body of brave men, whose deference for him was such that they would have gone as far as unfulfilled honour would permit to comply with his wishes; and being under the necessity of residing in England for some time, wrote a polite letter to the corps, acquainting them with his situation, and recommending to them to proceed to the uncontrouled election of another Colonel to supply his room.— They were sorry for losing a man on whose principles they could depend, but finding the inconvenience to him of exercising his generous, patriotic and voluntarily bestowed authority over them any longer, they looked round, and for a while were at a loss whom to pitch upon to supply the place of the nobleman to whom they had first delegated the power of leading them where honour and the defence of their country and its laws might call them. George Robert Fitzgerald, who had been informed of this vacancy, immediately exerted all his powers of persuasion, an art which he carefully studied, and was perfectly master of, to obtain a dignity which would add considerably to his importance in the county. He solicited the votes and interests of the lowest as well as those

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of the highest amongst them, and had the art of succeeding with those of them who, for want of a sufficient independence, hoped (and his repeated promises seemed to confirm their hopes) that through his munificence they should emerge from that poverty to which they could not reconcile their minds. The truly independents, whom no motive of that kind could influence, knew this candidate too well, and had seen too many instances of his transgressions against the laws, to give their consent that he should become their commander. A person of a spirit congenial with their own, whom honour should restrain from guilt, and whom true courage would inspire to an undaunted support of the laws and liberties of the mother country, was the person whom they would consider as alone worthy of so important a trust. They were not long in discovering him in the silent unambitious retreat, where Mr. Patrick Randle M'Donnel, contented with the glory of being a private in so honourable a corps, remained thoughtless of so unexpected an elevation. The narrowness of his fortune, not that of his mind, hindered him from aspiring to this dignity. He was dragged from his privacy by the gentle violence of his numerous friends, and unwillingly opposed himself to the ambitious views of his opponent. The day of election being come, Mr. Fitzgerald, who expected to carry the victory without dissent, was surprized and vexed at finding a man, whom he looked upon as of no consideration, set up against him. He yet hoped that his own exertions would ensure him success, but disappointment taking place,

place, the most ungovernable rage succeeded, and promises of exemplary vengeance against his presumptuous rival were uttered with peculiar energy of voice and gesture. All those who had voted for Mr. M'Donnel, on the occasion, became the objects of his resentment, and to give them a proof that it should not prove ineffectual, he immediately held forth such advantages to those who had declared themselves for him, that many of them deserted the Mayo Legion, and enrolled themselves under him in the corps of *Soi-disant* Volunteers, which he commanded. Honour they could gain none by such a desertion, profit they hoped for, but were, after long, faithful and uncreditable services, obliged to disband and skulk in hiding places, to avoid the lash of the laws, that they had trampled at his solicitations, without other reward than their uniform, and maintenance whilst they remained in his service,—a service which reflected disgrace and contempt upon them, and which, had they been taken, would have brought the heavy censures of the laws upon them. Mr. M'Donnel was the person on whom he chiefly resolved to discharge the venom with which he overflowed ; he watched every opportunity (and opportunities will never be wanting to those who resolve to watch them) of mortifying him, and soon found an occasion of venting a part of his spleen ; two gentlemen of the medical line in Castlebar, having had an altercation, probably concerning some point of science, and not being able to terminate the dispute by arguments, each being obstinate in his own opinion,

nion, resolved to decide it by those mortal weapons, which are the only arbiters of those offences and differences for which the laws have made no provision. Dr. M—— pitched upon Mr. M'Donnel as his friend, and Dr. B—— chose as his a man who, at that time, was Fitzgerald's minion—he could not want one. But as his attachments were very violent, so they could not be of long duration ; for no man could say that he ever continued six months in his good graces. Fearful lest any mistake should be committed by his favourite in a matter of so much importance and delicacy, he would accompany him to the place of meeting, to regulate every matter according to his own judgment, which must be allowed to have been unerring in those points, as he had already been concerned in upwards of twenty-five duels in Ireland, England, France, Flanders, and Italy. It would be temerarious in us to attempt a description of the various revolutions that rapidly succeeded each other in his countenance, on seeing Mr. M'Donnel on the ground as acting friend to the adverse party. His soul was so convulsed, that, to prevent the consequences of such violent emotions, he burst out into a furious torrent of the bitterest and most scurrilous invectives against him, and wonderful to believe that a man who had received so liberal an education, and so many other advantages towards polishing the manners and conquering the unruly passions, should descend to expressions that were capable of adorning the language of Billingsgate ; yet so it often happened to him, especially in this case. Mr. M'Donnel patiently

ently heard his abuses, and exasperated him to a pitch of fury, by treating his scurrilities with contemptuous silence. His resentment could no longer confine itself to him who had immediately incurred it. Dr. M——, by the confidence and intimacy he shewed in Mr. McDonnell, now became almost as much the object of his hatred as he was, for being met in the street of Castlebar in some days after by Mr. Fitzgerald, he upbraided him in a manner so provoking and humiliating, that the Doctor retorted upon him in terms yet more apposite and poignant; this insolence, as Mr. Fitzgerald considered it, was so insufferable in his eyes, that he laid hand to his sword, and partly drew it from the sheath; he did not suspect him of so much spirit and resolution as to resist, but finding his mistake, he returned his weapon, and with a pish of contempt, retired, declaring that a competition with a man so much beneath him in birth and fortune, would contaminate his blood; yet the Doctor was descended from a line of ancestors, respectable for their antiquity, independence, and liberality of sentiments. Some other more solid reason Mr. Fitzgerald must have had, which he chose to conceal: but as his soul was impenetrable in many other cases as well as in this, we need not trouble ourselves with fruitless conjectures, as the causes of his friendships were difficult to account for; of this we have an ample proof in his attachment to Captain Crofton, who had nothing to recommend him to his favour, but a set of blustering words and phrases, which he uttered with a tone of voice and contortion of features that might alarm the
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timid or the ignorant, but could make no impression on the truly brave man, who had penetration to discover, and spirit to expose his cowardice and baseness : this man he unfortunately met in the county of Sligo,—the Lion's skin was torn from off the Ais's back, and all his boasting glared in open day. Mr Fitzgerald, who was present at the altercation, and felt for the forely-wounded honour of his then dearly beloved friend, expostulated with him in terms so warm, that the dread of losing a place so comfortable and lucrative, wrung from him his slow consent to send a message to the offender. Mr. Fitzgerald readily undertook to deliver his sentiments, and brought him word that a time and place were appointed for the meeting. Great was the variety of thoughts and projects that disturbed the breast of the, until now, seemingly undaunted Captain. He placed before his mind's eye the inconveniencies of his refusing to answer the reply Mr. Fitzgerald had brought him, as he must, by a non-compliance, lose all the golden advantages he enjoyed under the patronage of that gentleman. On the other side, he painted to his own imagination in colours so lively, that they determined him the dangers that might attend his going to the ground ; his dastardly soul recoiled at the approach of peril, and shrunk in his milk-tainted bosom. The morning arrived, and Fitzgerald with an alacrity which shewed he was not subject to fear for himself or his friend on such occasions, called upon him to go to the field. Here poor unfortunate Crofton was reduced to the last extremity, for an expedient by which he might

might be able to reconcile two absolute contradictions, keep his place and elude the meeting. For this purpose, he, for a long time, prevaricated, and endeavoured to amuse Mr. Fitzgerald, that the hour being elapsed, he might appear on the ground, and by whispers insinuate that the other gentleman was guilty of that baseness and cowardice which were so deeply ingrafted in his own nature. His subtle elusions could no longer blind Mr. Fitzgerald; he saw clearly into him, and incensed to a degree of insanity at his poltronnery, he stripped him of the cloaths he had bestowed upon him, to a considerable amount, except one suit of uniform, and having belaboured him very heartily with his horse-whip, dismissed him with disgrace. Ashamed to re-appear in the county of Mayo, where he had assumed the gentleman, he retired; we know not whither, and left Mr. Fitzgerald to exhibit some new scenes which produced to him indeed some pecuniary emolument, but lost him the remains of opinion, which might yet be entertained of his intellectual faculties. A hunting match being appointed, and the hounds coming to a fault, the gentlemen amused themselves, for a while, in examining a wall, which, on one side, did not exceed five feet in height, but, on the other, presented to the view a precipice of fourteen feet perpendicular. Many remarks were made upon it, among the rest, one gentleman observed, that no man would dare to ride over it. Mr. Fitzgerald instantly proposed a bet of two hundred guineas, that he would find a person who would perform the feat. No man present suspected him

him to be the person, and he was accordingly taken up ; he turned his horse away, and before he could be prevented, absolutely drove the generous beast over the wall, to the instant loss of the noble animal's life, the place being founded with stones, but without the smallest detriment to the rider, who, with exultation, returned to the county of Mayo with the money, and the glory of having done what no man of sound reason would have attempted. To Mr. M'Donnel his return was ominous ; he foresaw that he would now become the object of his persecution. The little quiet he had enjoyed, was but as the respite granted to a man condemned, who cannot avoid execution. He watched his motions, and soon got intelligence that warrants were granted against him by a magistrate, who was subservient to Fitzgerald's will, on what frivolous pretext could never be discovered, as he never proved them, and accompanied by a select party of his obsequious executioners, he proceeded to Chancery-Hall to take M'Donnel, whom he knew to be there, but the latter gentleman, having previous notice of his design, took care to be prepared for a vigorous defence, by manning his house, and locking all the gates and doors that gave entrance to it.—The enemy appear in formidable numbers at a pallisade which stood before the house, and demanded M'Donnel, threatening, if he was not produced, to destroy all the opponents with fire and sword. The attachment of the garrison (if I may so call those who defended the house) was such to their commander, that they declared they would defend

defend him to the last drop of their blood. Fitzgerald's irascibility was inflamed to a degree of fury, by their obstinate and insolent resistance. He knew the desperate valour of his associates, and resolved, by his example, to excite them to the most strenuous efforts. To this end, he made an attempt to leap the pallisade, whilst the beast was in the act of getting over it, a shot was fired from within, by which the horse was killed, and the rider escaped with some difficulty, having received a swan-drop in the thigh. Had he not been often cautioned against such an attempt, people would be inclined to lay more blame on the perpetrator. Reflection now took place, and he thought it prudent to withdraw with his forces, as he saw no probability of success in his enterprize at the present. But it was only delaying what he was determined to carry into execution at a more convenient season. A new circumstance, of no small importance, gained M'Donnel a respite of some months. The poverty to which he had reduced his father, put that unfortunate old gentleman upon forming new connexions, by which he obtained a relief (temporary indeed) from his pressing necessities. He became acquainted with Mr. Cæsar French, of Fairhill, in the county of Galway, from whom he received a sum of money, in consideration of some valuable leases he gave that gentleman of parts of the estate. Mr. French sent a considerable number of cattle to occupy his new farms, unsuspicious of the treatment he was to meet with. George Robert Fitzgerald, unwilling to suffer a tenant who derived his title from

from a lease made by his father, without his approbation, seized upon the cattle, and without the usual notices served, or any other legal form observed, he sold some of them, and converted the rest to his own use. Mr. French being informed of this procedure, thought his most prudent method would be to expostulate with him on this unwarrantable measure. He did not think it safe, however, to put himself into the power of a man, whose unsettled and inflammable temper might prove dangerous to him; he therefore sent to Mr. Fitzgerald, requesting a conference at Castlebar, which was immediately complied with, and for some time they argued the case with tolerable coolness; but as Fitzgerald's answers were not calculated, or indeed intended to satisfy Mr. French, he soon lost all patience, flew to his inn, grasped his sword, and on the wings of rage and precipitation, soon rejoined his adversary, whom he found haranguing the surrounding multitude with the most admirable phlegm. He commands him to draw, which the other, having first represented the illegality of Mr. French's conduct to the crowd, complied with. After several passes, he at length wounded Mr. French in the hip, who, now effectually roused, pressed upon him with so much vigour, that had not his usual cunning come timely to his aid, he would, in all probability, have been killed, or at least, sorely wounded. Some of the standers-by have confidently asserted, that had it not been for a certain black waistcoat, which he is reported to have often worn on those occasions, he must infallibly have perished, as they

they saw French's sword bend upon his body; be that as it may, when he found he could no longer resist his adversary's repeatedly vigorous thrusts, he threw himself upon the ground, as if by accident. Mr. French was too much the man of honour to take advantage of his prostrate posture; and therefore, suffered himself to be conveyed to his inn, his wound beginning to prove very troublesome to him. Fitzgerald returned home, exulting in the success of his stratagem, and arrogated to himself the victory, as he had wounded his enemy and kept the field, after what he called, French's precipitate retreat. Thus, did he contrive to have the glossy appearance of truth on his side, leaving to chance or investigation, to attain the reality; knowing full well, that the generality of mankind content themselves with the first show of things, and seldom trouble themselves with laborious researches.

Mr. French had now a double motive to quicken him to revenge; injustice, and injury. By the first, he had suffered severely in the loss of his cattle; his farms unstocked and unoccupied, and the money he had advanced in hands, from which he could not expect a speedy restitution of it. By the second, he had suffered in his person; the wound he had received still smarting, reflected the pains of his body to his mind and fanned the flame. He could not enjoy a quiet repose until he had punished the author of his sufferings. Could personal courage alone redress him, he never would have fought for foreign aid. But at this time, Fitzgerald, by his affability and endearing conduct

duct to his Volunteers, as he called them, had gained so much upon their affections, that almost to a man, they would expose their own lives to the greatest hazards for the preservation of his. Many, even of those who had professed themselves his father's most steadfast friends, now turned over to him, whilst the father diverted himself in Dublin, careless of the event of a quarrel, which through his means had been suscitated between his son and Mr. French. This last gentleman, whether by authority of law, or depending entirely on the justice of his cause without that necessary sanction, we shall not take upon us to determine, collected from two to three hundred men, many of them gentlemen of family and fortune, and proceeded to Turlogh; not as has been represented, with a view of preying upon the public for the support of his little army, for he was amply provided with all necessaries, but to make a strict, though fruitless search for his cattle, or some equivalent, the property of George Robert Fitzgerald. But he was too well skilled in the art of war, to suffer his provisions, ammunition, or baggage, to be carried away by the enemy: he had timely notice of their approach, and took care to secrete every article of value, before they could come up. Neither was he so inconsiderate as to face, in open day, a force so much superior to his own in number. He reserved his exertions for a more favourable opportunity, and suffered Mr. French to remain unmolested in the neighbourhood, as long as he thought proper to stay; but on his retreat, he sallied forth, with a strong detach-

detachment from his garrison, and fell furiously on the rear of the enemy, where was a part of the now almost exhausted baggage, under a very slender escort; the van being at the time above a mile a-head. A scout hastened to acquaint Mr. French with the unexpected attack made upon his men; who, on this interesting intelligence, hastily collected a chosen body of horse, composed chiefly of gentlemen, he flew to the assistance of his already vanquished rear, which Mr. Fitzgerald was dragging reluctantly to the confinement he destined for them; but, notwithstanding his diligence, he was overtaken before he could reach the fort, and a very smart engagement ensued, in which Fitzgerald, finding the day likely to go against him, thought it prudent to abandon his prisoners, the captured baggage, and some of his own men and arms in the enemy's hands, and ride off at full gallop, with his chief favourites. This advantage, trifling as it was, gave Mr. French and his party the sincerest joy, and he marched in triumph through the country, lodging his prisoners in the goal of Galway; where we shall leave them, unmindful of their future fate, and proceed to that important event, which was the occasion of convincing George Robert Fitzgerald, that notwithstanding his birth, connexions, and fortune, he was amenable to the laws: we mean the confinement of his father, at his house of Rockfield, in the county of Mayo.

That Princes should violate the laws of nature, is not unprecedented. The temptations

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are strong, the prize glorious, and the danger of temporal punishment, almost chimerical. Crowned heads are above all human laws; and if vengeance sometimes overtakes them, it must be from some private hand, that strikes unseen, or urged by madness, or concealed ambition self-devoted, gives the public blow. Personal pique will seldom arm the subject's hand, against the sovereign's life, and he can sin in safety. But, that an individual, undignified with crowns or coronets, should dare to lift his profane hand against the laws of God and his country, from motives of sordid avarice or unnatural revenge, is scarcely credible;—did not George Robert Fitzgerald, give us a recent proof of such unexampled audacity. Unmolested by Mr. French, who saw the futility of his past, or any future attempt, to retrieve his property, or revenge his wound; confident that at any time he should find M^rDonnel.

He now resolved to apply himself wholly to the execution of a design, he had formed, and delayed only from motives, which he kept closely lodged within his own breast; for, as yet, the unfortunate Brecknock was not associated with him in his crimes; nor was Scotch Andrew, as yet the instrument of his horrid purposes. His father had, for a long time, made loud and frequent complaints of his ill-nature, ingratitude, cruelty, and injustice; those clamours he wished to prevent. He likewise wished to prevent a design, which he feared his father had resolved on, of transferring to his

his younger son; Charles Lionel Fitzgerald (against whom our gentleman had by this time, conceived a most inveterate hatred) his right of succession; in and to the estates of Rockfield and Turlogh; in case he and his eldest son should die without issue male. To effect those purposes; no method seemed to him so secure as to have the father in his power, as then; his liberty depending entirely upon him, he had hopes that he could prevail upon him to renounce this right of reversion in his favour; and, if fair means failed, he would meet with no opposition in practising such compulsory measures as must gain his ends; or, if neither should succeed, he did not doubt of finding some of those complaisant, well-educated; and useful under-strappers of the law, who, for a proper consideration, would pen and perfect a deed of conveyance in the father's name, when no longer able to dispute the legality of it. That he watched over all his father's motions, is evident;—that he held a correspondence with some of the confidential servants then about the father, if not so evident, is at least strongly to be suspected; in as much as some of those very servants, were afterwards his zealous partisans; and used their utmost efforts, by affidavits and testimonies, to prove that that was false, which the whole county of Mayo, almost the whole kingdom, knew to be true; viz. that he held his father in confinement. He therefore, knew that the father was to pass from Ballinrobe, to the house of Mr. Redmond Jonines, in his way to Dublin. He, accompanied by some of his confidants, who did not

immediately appear to the old gentleman's eyes, intercepted him, and led him, incapable of resistance, to Rockfield. The postillion was likewise forced to go, so were John Scott and John Fitzgerald, whom George Robert himself afterwards called by the name of John Kivneen in an advertisement in the Connaught Advertiser. In this coup-de-main, he seized upon a considerable number of blunderbusses, muskets, fuzils, pistols, and swords of different kinds. The man must shut his eyes against conviction, who will not plainly see and acknowledge that George Fitzgerald, would not have carried such a quantity of arms with him, through a peaceable country, if he was not afraid; and of whom was he afraid, or had he cause to be afraid, but of his eldest son, the youngest and he being at the time in the strictest amity. As they must, of necessity, pass through a small town, called Minola, it being the most private road (through Castlebar George Robert dared not go, as he knew he would be pursued, overtaken, and the father rescued from him by the spirited Volunteers of that town): the old man, in accents the most moving, and with most piercing cries, begged relief, but the inhabitants of that town were too much in the neighbourhood of Turlogh, and consequently exposed to depredations; they, therefore, very prudently declined any interference between them. He conveyed him to Turlogh, and having thus attained the most sanguine of his wishes, his soul seemed to enjoy an interval of tranquility, which the multiplicity of business he had created for himself, had long made it a stranger.

stranger to. But it was of short duration, for his brother, Mr. Charles Lionel Fitzgerald, being informed of the illegal imprisonment of his father, and anxious for his safety, flew to Dublin, where he obtained an order for his release, directed to the Sheriff of the county of Mayo. Mr. James Gale, then deputy, acting for the High Sheriff of that county, a man of age, sobriety, good conduct, and PROBITY, went to Turlogh, but could get neither admittance nor a person to give him an answer: he went a second time with as little success, but heard several shots, which made a more than ordinary report. Whether these shots were fired for amusement, or what is more probable, with an intent of intimidating him, we cannot take upon us to aver; yet we will venture to say, that if he had brought the posse comitatus, it would have produced as little effect as his own single voice. The ineffectuality of the measures he had hitherto taken, induced Mr. Charles Fitzgerald to take a new method of obtaining the liberty of his father: he accordingly, at the ensuing assizes, lodged an information against his brother with Edward Jordan, Esq; a magistrate, and having obtained the licence of the court to take his brother during the sitting, he entered the Grand Jury Room and made him prisoner. George Robert was surprised at so unexpected a situation, but soon recollecting himself, he partly drew his sword. It is unusual, we must confess, to encroach upon the privileges of the Grand Juries of counties, and to be practised only on great emergencies: but Mr. Fitzgerald's own conduct to many of the gentlemen

gentlemen who then composed that of the county of Mayo, made them acquiesce without murmur in this breach of the respect due to them. Awed by the superior strength of his brother, he returned his sword,—a badge of superiority which he, and only he, did or would assume, and accompanied Mr. Charles Fitzgerald to Mr. Carleton, who then presided over the criminal business of the county, and patiently heard all that he pleased to say in his own defence: but finding no cause which could authorize him to restore him to liberty, as he refused the most reasonable proposal that could be made, that of producing his father to the court to answer for himself, he was ordered to go unless he would produce two sureties of sufficient responsibility to answer for his appearance the next day to abide his trial, and Messrs. Brabazon and Orme entered into recognizances for him,—we will not say reluctantly. If George Fitzgerald had for his son that tender affection which he boldly asserted to the Judge, he must be the most unnatural and capricious father that ever was, if he refused to come and satisfy the Judge, Jury, and County, that he was perfectly at liberty. Would he have wantonly run that son to the enormous expence of so criminal a prosecution, and expose him to the scandal of a condemnation, merely through caprice? The morning came, the Judge occupied the Bench, the Court-house was crowded, and anxious uncertainty filled every breast; but none felt it more poignantly than the two gentlemen who had bound themselves for George Robert's appearance; after

after some time spent in this state, he appeared at last, and used every effort to put off the trial to the next Assizes. The Judge proposed an alternative, which almost all who were present approved of;—that is, that he should produce his father, or expect no delay. To remove every objection that he could make, he was offered the authority of the Court, to bring him by compulsion, if he should make any resistance. He pleaded the respect due to a parent, but could obtain no respite; and a most respectable Jury was impannelled,—every man of which was perfectly known to him,—every man possessed of an independent property, and totally unprejudiced.

The trial lasted above fifteen hours,—many witnesses were examined on both sides. Mr. Carleton summed up the evidence with a perspicuity and impartiality which must establish him for ever as a just Judge. He left the decision of the point entirely to the Jury, without giving a hint of his own opinion, and they, on the clearest and most indubitable evidence, after a short absence, returned, and pronounced their verdict GUILTY.

Struck with astonishment he remained mute for some minutes,—he seemed wrapped up in contemplation,—he could scarcely believe that he was found guilty,—he flattered himself that either a consideration for himself, or a dread of his power, would have secured him from the verdict. At length, enraged at the disappointment, he vented his spleen, by an expression
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which was easily forgiven to a man in his circumstances ; for, with an emphasis peculiarly expressive, he cried out, " that he could expect no better from such a Judge, and such a Jury." Mr. Carleton now proceeded to pronounce the sentence of the law upon him ;—he did this disagreeable part of his office with the most laudable delicacy, and condemned him to a fine of one thousand pounds, and three years imprisonment. Being asked by the prisoner if he would obtain his liberty on the spot by paying the thousand pounds, he answered in the negative, and gave as an additional explanation, that he was to suffer the three years confinement absolutely, and so much longer as the fine should remain unpaid.

Mr. Fitzgerald is now escorted to the prison by a strong party of the Mayo Legion, whilst another conducts the Judge to his lodging.—Nor were these precautions unnecessary, as there were, at the time, above thirty of Fitzgerald's most resolute and zealous partizans in town, completely armed, and determined, if possible, to restore him to liberty.

It was at this trial that the animosity took place between him and Mr. Richard Martin of Dangan, who, being employed for the Crown, made some very severe animadversions on the prisoner, which he treasured up until an opportunity should offer of retaliating the injury with usury. An animosity that kept the counties of Mayo and Galway in suspense for near two years.

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On the fourth day after his committal, Fitzgerald, having previously made the necessary preparations, he armed himself with a brace of pistols, and throwing a handful of silver among the turnkeys, he opened the doors of the prison, walked out, mounted his horse, and crossing the country, over hedges, walls, ditches, and rivers, he arrived, not unexpected, at the fort, where a general discharge of artillery and small arms, with the loud acclamations of his pretended Volunteers, announced his escape to the neighbourhood for some miles round.

Thus were all the pains of Charles Lionel Fitzgerald frustrated in an instant, and the poor old gentleman still remained as closely confined as ever, with little hope that the future exertions of his younger son could be more successful than the past in procuring his release.

Impelled by filial duty and disinterested affection, this son would not desist from renewing his efforts in favour of his father, he applied to the then Chief Governor of Ireland for a military force, without which it would be impossible to attain his wish. This was cheerfully granted, and a strong detachment of horse and foot, with a train of artillery, is sent from the garrison of Dublin, with orders to the troops, then quartered in the neighbouring towns, to join them, and force the out-law from his retreat. Previous notice being given to Fitzgerald of the irresistible attack that was to be made upon him, he clearly saw the madness of opposition, and, therefore, placed his confidence

dence in timely flight, which he effected, bringing his father with him, having first concealed the cannon and other arms, dispersed his followers, except a few of the most resolute and confidential, and made the best of his way to the county of Sligo. Thither he was so closely pursued by the Mayo Legion, and some other corps of Volunteers, that he found himself under the necessity of committing his father and himself to the mercy of the Atlantic Ocean, in an open boat, without the knowledge of any but those who accompanied them.

Here the father, who saw the inconveniencies and dangers to which he was daily exposed, resolved to turn those arts against his son, by which he had long endeavoured to impose upon the world ;—insinuation and dissimulation. He was not himself unpractised in them, nor was he over scrupulous as to the means by which he might compass his ends. He, therefore, shewed a disposition towards a reconciliation ; he was not sparing of the most solemn oaths and imprecations, by which he might convince the son of his sincerity ; and having, at length, persuaded him of his friendly disposition, he proposed to him a project so plausible and so flattering to his wishes, that he consented to bring him with him to Dublin. This was a master-piece, and the only stratagem by which he could recover his liberty. The project was, that on George Roberts's giving him the sum of three thousand pounds to pay his debts, and allowing him a small annual stipend, he would, by deeds in proper form, convey to him all his
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right of reversion in the whole estate. This being the point to obtain, which the son had trampled under foot all that could bind a Christian, he greedily swallowed the bait, as he believed the father, for the sake of receiving so large a sum in hand, would readily make good his promise. They travelled through roads where they were little known, and arrived in Dublin without any occurrence worthy of note, and went directly to Castle-street, where the old gentleman often took up his lodging. They were accompanied by George Roberts, then his bosom-friend. When the father found himself now no longer under restraint, and safe from any future danger of confinement, he absolutely refused to comply with the son's demand of perfecting the deeds they had agreed upon. Enraged at finding himself thus duped, the son seized upon a chair, and would infallibly have dashed out his brains, had not a man who was in the shop convenient to the room they were in rushed to his rescue, and warded off the impending death. The son, ashamed of his own facility, withdrew with his friend to College-green, to ruminate on some new measures by which he might retrieve the mistake he had committed, in enabling his father to bid him defiance in a place of impregnable safety. The very brother, whom he represents in a light the most shocking to human nature, yet prevailed on the father to consent to another interview, where peace and harmony might have been once more re-established between them all, did not the inveterate hatred he bore to Charles Lionel stimulate him to any treaty,

treaty, by which an independence should be secured to this unfortunate brother, who, finding this implacability invincible, retired with his father. On the same night, as he crossed the street, he was arrested by the Town-major and a party of the 4th Regiment of Horse, and conducted to the Castle-guard-room, where he was treated with the utmost politeness by the officers of the guard; and remained there until the ensuing evening, when he was conveyed in a post-chaise to the New-Prison. Whilst he remained in confinement, he endeavoured to obtain a repeal of the sentence passed upon him in Castlebar, by exhibiting a claim of revision of that sentence, grounded upon very essential errors, as he thought. Nor was this occupation sufficient to satisfy so active a genius as his:—he, therefore, undertook the compilation of a large work, which he entitled, “An Appeal to the Public.” We shall not pretend to decide upon the merit of that work; this only we will make bold to remark, that had George Robert Fitzgerald possessed half the merit, the moderation, the prudence, and good-nature, that he attributes to himself in that book, he never would have been guilty of those faults, which made him so much talked of and dreaded during his life-time, nor have brought himself to so untimely and shameful a catastrophe. Or, were his brother, Charles Lionel Fitzgerald, tainted with half the vices that appear to his charge in it, he could not have so long escaped the punishment, which must, were he so criminal, have been due to so atrocious a violater of the laws. A re-hearing being granted to him, in
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the Court of King's-bench, in Dublin, he appeared in that Court, in a manner so fantastical, that all men looked with admiration at him :— his cloaths were really such, as no man, who could possibly purchase better, would wear ; and his hat, take it alone, was not worth fourpence ; but by the addition of a loop, button, and band, richly ornamented with jewels, it became of the value of near fifteen hundred pounds. His errors were found to be nugatory, and the former sentence was confirmed. The whole of his great misfortunes now rushed upon his mind with such violence, that his body was thrown into a ferment, which brought on a heavy fit of sickness. This probably was an additional inducement to our gracious Sovereign to pardon him what was past, on a faithful promise from his friends, that for the future there should be no cause of complaint against him.

The first use he made of his liberty was to call to mind, and watch every opportunity of revenging the offence which he supposed himself to have received from Counsellor Martin. Opportunities are never wanting, to those who diligently seek them. Mr. Martin went to the play-house—Mr. Fitzgerald followed him thither. He might have come up with him in the street, and put his design into execution, but he was determined to give his revenge a degree of publicity equal to that of the offence : for this purpose, he waited until Mr. Martin was in the play-house, until the company was all assembled, until by his previous expressions,

expressions, he had drawn the eyes of the spectators upon Mr. Martin and himself; and then, with a small cane, he struck him, adding the laconic phrase of, "take that, you scoundrel!" After having thus gratified himself, he walked off; nor seemed very forward in giving that gentleman the satisfaction which is looked on as the only reparation that can be made for wounded honour. He had found himself for a long time necessitated to lie under the insult he had received; and seemed now determined to leave Mr. Martin as long, if possible, in the same predicament, by refusing to meet him at any other weapon than the sword, at which, he believed himself much his superior. In proof that this was his intention, and that he missed no occasion of revenging himself on those whom he marked out as objects of his displeasure, when Mr. Martin sent him a message by a Mr. Lyfter, instead of giving him a direct or satisfactory answer, he gave Lyfter a most unmerciful caning, and forced him to confess his sorrow for having interfered in their quarrel.

All Mr. Martin's industry could not succeed, in procuring him the means of cancelling the obligation he lay under to Mr. Fitzgerald, until the latter having figured away for a considerable time in Dublin, he thought it convenient to return once more to the county of Mayo, to disturb the peace, and alarm the gentry of the country; in both which circumstances, he succeeded to admiration. His temper was now soured to a very extraordinary degree, by the seizure

seizure of his furniture, plate, and other valuable goods, for very large debts due by him; his country house was but very slenderly provided, there being in it but a couple of beds; and his parlour exhibited for ornament or use, but two broken straw-bottomed chairs, and a small deal table:—he neither paid nor received visits; lived chiefly upon rabbits, fowls, and vegetables—kept but one servant-maid, a sportsman, a little boy, and the never-to-be-forgotten Andrew Craig, commonly known by the name of Scotch Andrew, of whom we shall give some account in the sequel. The only person of any distinction he kept company with was his unfortunate and fatal friend, Timothy Brecknock, of whom we shall likewise have occasion to speak more amply hereafter. Some few excursions, indeed, he made to Castlebar, and here it was that Mr. Martin at length got the long-wished-for opportunity of wiping off the stain, which Mr. Fitzgerald had thrown upon him in Dublin. The place appointed for the combat was the barrack-yard; and Mr. Fitzgerald, with the utmost politeness told the gentlemen of the army, who were there to see the issue of the engagement, that there were two cocks to be pitted for a main, but that he would back the Mayo cock against the Galway one for a thousand guineas. Every thing being made ready, the two cocks, so let us call them, are placed at the distance of nine yards from each other. But Mr. Fitzgerald, who had reduced this kind of combat to a system, had made some very useful discoveries in that art: the first of which was, that a pistol loaded
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for nine yards, if discharged at the distance of five, will not produce nearly so dangerous an effect as if discharged at its proper distance. The second discovery was, that if a man can be taken from his first aim before he can discharge his pistol, any future aim he can take will not be nearly so exact: as that was in consequence of his experience in those two points, he advances two steps, and invites his antagonist to do the same. Mr. Martin was not aware of his design, and fell into the snare. Being ready to fire his shot, Mr. Fitzgerald calls out to him to desist for a moment, as he was not prepared. He was well acquainted with Mr. Martin's coolness and intrepidity, and knew full well, that unless he made use of those stratagems, he might undergo the fate of Counsellor Jordan. The first case of pistols being discharged without damage on either side, they took the others, and each was slightly wounded; being now separated, they retired, and each was convinced that he had satisfied his own honour. Here ended an affair, which for a long time had furnished ample matter for conversation and conjecture to the counties of Galway and Mayo, and was the source of much uneasiness to Mr. Martin. Nor did it suffer Mr. Fitzgerald himself to apply as he wished his whole mind, to the effecting his revenge against Patrick Randle M'Donnel, which he now prosecuted with unabated attention. As Andrew Craig, commonly called Scotch Andrew, took a very active part in the plans laid by Mr. Fitzgerald, for carrying his purposes into execution, we hope an account of the life of that wretch,

wretch, will not prove unacceptable to our readers.—Andrew was the son of a bailiff of Carrickfergus, commonly known by the name of Jack the Tripper, who was himself the illegitimate issue of a Mr. Creigüe, a man of some property in the county of Antrim. At an early age, Andrew was bound apprentice to a blacksmith, where he remained about four years; and having gained some knowledge of the treatment of horses, he thought he could do well for himself, and therefore fled from his indentures, and was employed by several gentlemen to attend their stables; nor indeed, could they entrust them to a more careful person, as he was always remarkably fond of good horses, especially when he could expect the riding of them himself sometimes. Whilst he was in the service of an old gentleman of that country, he found an ample opportunity of exercising his genius, in low schemes of revenge on his master's severities to him, for his various misdemeanours; a few of which I shall relate to give the reader a clue, by which he may become acquainted with his character. One of the characteristics of old age is obstinacy, and this gentleman possessed it in so eminent a degree, that having once attended a cant of cattle in his neighbourhood, whither Andrew accompanied him, he took so great a liking to an in-calf cow that was there exposed to sale, that no money, he resolved, should keep her from him. Andrew discovered his master's determination, and took that opportunity of punishing him for having inflicted punishment on himself: he accordingly placed himself among the
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crowd on the opposite side, and so effectually out-bid him, that he paid three times the value of the cow. He was not dissatisfied with himself, for he did not yet discover the cheat, and ordered home his purchase, where he placed her in a meadow, into which the window of his bed-chamber gave. He watched the time of the cow's calving with anxious impatience; but Andrew, who still had it in his mind to perfect his revenge, having learned to imitate the voice of a calf, in the dead hour of the night enters the meadow, and putting his new talent in practice, led the old gentleman out in his night-gown and slippers; and taking advantage of his uneasiness, stole him imperceptibly into a neighbouring bog, where he was so entangled that he could not possibly extricate himself, until his sons, young men of sixteen and eighteen years of age, came to his relief, by Andrew's direction; nor durst they acquaint their father of Andrew's imposition, lest he, who was their confidant in many of their youthful frolics, should lay open their conduct, which, from the temper of the father, might prove very inconvenient to them.

Another instance of his ingenuity soon after showed itself in an innocent artifice. His master sitting with an old crony, who loved wit and ingenuity, Andrew, who knew he could obtain his pardon through the intercession of this gentleman, proposed a bett of a crown to his master, that he would drink more of the bottle of wine then newly laid on the table, than the two gentlemen. The money being de-

deposited, Andrew goes to the kitchen; and taking a half burned turf in his hand, he runs about the house, crying out with all his strength of lungs, fire ! fire !—the sparkles that flew about in showers, alarmed the two gentlemen, they ran out to save themselves, and in the mean time, Andrew enters at another door, and drinks off the remainder of the wine, they not having time to take above half a dozen glasses of it.

His next, and we believe, last exploit in this gentleman's family, proves that his invention was fertile in plots of harmless revenge. The master had laid it down as a rule to himself, never to punish his servant for any fault he committed when from home, but to redouble his stripes when they returned : this, Andrew knew from long and woeful experience ; for, having been guilty of some capital neglect of duty, at a fair considerably distant from their residence, he prepared himself to elude the punishment he had richly merited.

Very early in the morning Andrew rises, and ties his night-cap on one end of the bolster, places it in his own place in the bed. He then gets under the bed, and there waits patiently for the arrival of the executioner. The old gentleman comes, and perceiving the bulk, made no doubt but his victim was in a sound sleep, he falls to belabouring the bolster with redoubled strokes : Andrew cries out from underneath, until gradually dropping his voice, he seems, at length, unable to complain any longer.

longer. His master, whom passion prevented from reflection hitherto, now feels remorse for having pushed his severity, as he thought, too far. He, therefore, retires, and calling his two sons, delivers to them a bottle of brandy, acquainting them, at the same time, that he had heard Andrew groan piteously, and that he believed he was afflicted with the cholic. On his leaving the room, Andrew re-possessed himself of his usual place in the bed. The young men arrive, and he seeing them alone, accosts them with his usual familiarity, and swears he will betray all their secrets, if they refuse to connive at his projected scheme of revenge against their father. Having made conditions, that no personal or pecuniary injury should be done to him, they readily agree, and a report is made that Andrew, in his agonies, accused the old gentleman of his death. It is not easy to prevail with the author of a man's death to examine the body, so that the old gentleman took Andrew's last words, on the credit of his sons, and spent the day and night in anxiety, giving orders, however, that the body should receive a decent burial. Andrew is accordingly conveyed to the barn, and there laid out in the usual manner. The neighbouring villagers, males and females, according to an ancient custom, known only in Ireland, assemble to what is called the wake. The most scandalous instances of yet remaining Gothic barbarity are generally exhibited at those kinds of nocturnal meetings, and the wretches of the country, too much buried in ignorance, are still more familiarized with a contempt of death ; nor is it to
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be wondered at, when in presence of the remains of a fellow-creature, they indulge themselves in the most ridiculous and scandalous amusements, by which that awful sight loses its terrors.

In the height of those amusements, Andrew who wished to divert some at the expence of the rest, whilst all eyes are fixed on the sports, occupies himself in sewing several of the females who were convenient to him with needle and thread, which he had previously provided himself with. At length, when the hour approached, which is said by legendary tales, and believed by ignorant credulity to be that on which the graves yawn and yield up their dead, he suddenly starts from his couch, and seated on the table, casts a wild and terrific look around. Universal confusion and dismay take possession of the entire assembly, except the very few who were in the secret, and all jostle each other to gain the door. The women who sat next to Andrew were not slow in their efforts to escape as well as the rest ; but the first of them who thought to get upon her legs, finding herself pulled behind, imagined that she who sat near her took this method of getting out before her, provoked at the delay, she turns about and gives her a blow of her fist in the face—she was not deficient, in point of inclination, to return the injury in kind ; but finds herself impeded by a similar pull to that which had procured herself the assault, and forgetful of her own defence, she applies herself to offend the person who detained her. The same injury being seemingly

ingly given by all to all, neglectful of the apparition, their whole attention is engrossed by the mutual desire of disfiguring each other, until with teeth, nails, hands, and feet, they buffeted each other for some considerable time, whilst Andrew returned to his room, enjoying the fun he had been the author of.

The old gentleman could not forgive him the ridicule this adventure was likely to bring upon himself ; he, therefore, discarded him the ensuing day.

The rising of the Hearts of Steel appeared to Andrew a more ample field for exercising his genius than a private family, he, therefore, immediately associated with those deluded people, and almost constantly sought and obtained the post of honour, until, by their suppression, he unfortunately escaped punishment for his exploits, by skulking until the acquittal of some of them in Dublin, occasioned a cessation of enquiry after those who had escaped ; and once more enabled him to appear.

He was soon after employed by a Mr. Lambert, of the county of Antrim, as groom and jockey. And here it was that Mr. Lambert, of Cregclare, in the county of Galway, pleased with his attention to the cattle he had in his care, engaged him to undertake the government of his stud : but his infamous conduct soon gave Mr. Lambert so much disquiet, that he discharged him ; from hence he went to Claranbridge, and became groom and huntsman to
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Mr. John Burke, of that place. Here an accident happened to him, which shewed that he was not insensible to the terrors of approaching death; for, standing one day at the bridge of Kilcolgan, with a loaded gun, waiting for an opportunity of shooting some game, when the tide would be full, the gun slipped, and the whole charge was lodged in his thigh. Being carried home, he requested the attendance of the Rev. Mr. Thomas Lynch, a most respectable Clergyman of the Church of Rome, and took, with becoming humility and seeming contrition, his aid towards the long journey, which he thought himself on the point of taking to that country, from whose bourne no traveller returns.

He recovered, however, and soon after quitting that country, we find him engaged as huntsman to Sir Henry Lynch Blosse, of Moate, in the county Mayo, Bart. Here he remained for some months, and behaved himself in a manner which gives us cause to think, that the wound he had received in the county of Galway, had made a deep impression upon his mind. An impression which would very probably have kept him within the bounds of moderation, and at least common honesty, had not George Robert Fitzgerald revived that disposition which had now lain a long while dormant. When mounted on a horse that he could depend upon, no leap that might occur in the course of a day's hunting could stop him from following the hounds,—an amusement he was remarkably fond of. Sir Henry Lynch Blosse

Blosse (from what motive we cannot take upon us to declare) having, at length, resolved to keep hounds no more, gave his pack and two horses to Andrew, who disposed of them to advantage, and engaged with George Robert Fitzgerald as groom ;—hounds he had none at the time. He soon penetrated into the inmost recesses of his soul, and there discovered such a congeniality with his own, that he placed in him an unlimited confidence ; and to him and Fulton only opened his heart, painting to them in such lively colours the fictitious causes he had for wishing M'Donnel's death, that he easily persuaded them to become the instruments of his bloody vengeance. But as his scheme for taking away that gentleman's life was not yet ripe for execution, he amused himself, if we may so call it, in putting in practice every mode of mortification that could occur or offer itself to him.

Mr. M'Donnel and a Mr. Gregory, who lived in his neighbourhood, separated only by a part of Fitzgerald's estate ;—kept a small pack of harriers for their own amusement, and for that of their friends. Mr. Fitzgerald would not allow them to enjoy even this trifling diversion unmolested. He watched them with a hostile eye, and accompanied by his now willing instrument, Scotch Andrew, at different times, destroyed several of those innocent and amusing animals. Mr. M'Donnel bore this mortification with prudent patience, but Mr. Gregory was not so forbearing, for meeting with Andrew one day in Castlebar, he upbraided him
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with the killing of his hounds, and with repeated strokes of an oak stick on the head, brought him to the ground, not without a very considerable effusion of blood, and some convulsive symptoms of a fracture ; but this error was soon rectified, and Mr. Fitzgerald, who thought the people of Castlebar unpardonable, for suffering such a violation of the laws to be committed before their faces, to punish them, revived a long-dormant patent for a weekly market at Turlogh ; by this step he hoped to distress the town of Castlebar, as all the eastern people of the country must pass by his door to bring their provisions thither, or go so many miles round as would render it inconvenient to them. He moreover held forth such advantages to them as induced them to prefer his market. For if any provisions remained unsold, he paid for them himself, and gave a premium over and above the Castlebar price, for all that came to Turlogh market.

To supply those generous means of executing his revenge, he was sometimes put to hard shifts, one only of which we shall relate, as an instance of the fertility of his invention. In one of those emergencies, he sent for one of his assistants in his most desperate excursions, named James Foy, and assuming a countenance of displeasure and severity, he told him that his wife had been subservient to the pleasures of Mr. Charles Lionel Fitzgerald, when in that country, and that he must discard her. He knew the fellow's attachment to his wife, and that he would endeavour to conceal her in
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some of the villages on his estate, until the storm would blow over : he accordingly had the woman watched, and found he had not been deceived in his opinion. He orders his bailiff to drive the cattle of those tenants, but never explained to him the motive of the command. He was instantly obeyed, for he could not brook delay, and the pound is soon crowded. The tenants, who imagined they were driven for rent, collected the money and brought it to their landlord, who, having received it, and given them a receipt, calmly told them they had not been driven for rent, but for harbouring the wife of James Foy, and that he could not release their cattle until they had expelled her, which was immediately complied with ; and assured that Mr. Fitzgerald was very happy to find that they were able to pay their rent out of the common course, as it was not usual with him to apply for one gale, as it is commonly called, until two were due. Having thus gained his end, he was soon after reconciled to Foy, on an assurance that he was misinformed.

Mr. M'Donnel's house was so unfortunately situated, that he must pass immediately by Mr. Fitzgerald's door, or go some miles about : but as no direct attempt had been yet made upon his life, he had some hopes that his adversary would still content himself with those petty mortifications, which he had hitherto practised. One night undeceived him, for returning from Castlebar, in company with a Mr. Farragh M'Donnel, a shot was fired from
Fitzgerald's

Fitzgerald's house, which struck M'Donnel in the neck, and would infallibly have proved mortal, did not the buckle with which his stock was fortunately fastened prevent its entrance : however, the bullet occasioned a very considerable contusion. Mr. M'Donnel and his friend, fearing a repetition of the experiment, which might prove less erroneous, thought it prudent to gallop off at full speed, by which they, for that time, saved their lives, and hoped that circumstances, of so daring a nature, would sufficiently satisfy a Judge and Jury, that such an attempt could not be made by the servants of Mr. Fitzgerald, without their master's consent or command ; and that consequently he would be found guilty of an assault, upon the indictment which was lodged against him the very next day

Mr. Fitzgerald being informed that a warrant was granted against himself and two of his men, immediately gave bail for their appearance at the ensuing assizes, where, it being impossible to identify the person who fired the shot, or to prove that it was fired by Mr. Fitzgerald's consent or command ;—they were all acquitted. Mr. M'Donnel now saw that his life was sought after, and in order, if possible, to ward off the fatal blow, he petitioned the Bench, that George Robert Fitzgerald, Andrew Craig, and another man, well known to be subservient to Mr. Fitzgerald's projects, should be bound to preserve the peace towards him, which petition was complied with, and bail given in to a considerable amount. But of what

what avail could this recognizance be, where there was a previous resolution formed, which was shortly after attempted to be put into execution? Happily for Mr. M'Donnel, a mistake prevented his then suffering, as was intended; for, on the morning of the day on which two men went to his house to perpetrate the guilty deed, he had given a suit of cloaths to one of his servants, who acted occasionally as his clerk; he had received some papers from his master, on his leaving home, to copy, and was sitting at a desk in the parlour, near a large fire, when a shot alarmed him, by a slug slightly wounding him in the shoulder, whilst several others penetrated the wall just before him. As his back was to the window, from which the piece was discharged, he undoubtedly was mistaken for Mr. M'Donnel. The villains got off immediately, and could never be discovered, notwithstanding the very large rewards offered to that purpose, until the whole wicked scene was laid open at that famous trial, where a just punishment was inflicted on the contrivers of the most atrocious murder that disgraces the annals of Ireland.

The hours of relaxation which Mr. Fitzgerald gave himself from his studies how to annoy Mr. M'Donnel, he spent in training his horses to take standing-leaps over the bar, and forced his boys to ride them without any other hold than what they could take with their knees and legs, by which one of them, as yet a novice at that business, got a fall, in which the buckle of the bridle tore his nose in a most shocking manner.

manner. A smile from his master, with a declaration that in time he would become an excellent horseman, was all the consolation he met with. Scotch Andrew himself could not refuse amusing his master in this manner, and though known to be one of the most resolute and most perfect of horsemen when after the hounds, yet, on these occasions, he was as unskilful as the little boy we have already mentioned.

Another of Mr. Fitzgerald's amusements in his leisure hours, was, that of shooting dogs, and this gradually habituated him to the shedding of blood without emotion; by which his heart was hardened against the tender and ever-amiable feelings of humanity. The shooting of a dog was, however, to him the cause of peculiar vexation, and occasioned that resentment, which involved Charles Hipson in the untimely fate of Mr. M'Donnel.

Robert Mecklin and John Tiernan had once been members of the Mayo Legion; they had given their votes and interest, which was considerable among the mechanics of that corps, to Mr. Fitzgerald, at the time of election of Colonel, and had joined his corps upon his being rejected by a majority of the Mayo Legion; as on them depended the attachment of the other Castlebar men who had followed them, he shewed a particular predilection for them on every occasion. Mecklin had with him, whilst in garrison at the fort, a dog of the spaniel kind, and Fitzgerald, to convince the owner of his attachment, shewed a very extraordinary fondness

ness for the dog, stroking, playing with, and feeding him with his own hand. When the fort was abandoned, and that the nominal corps of Volunteers, commanded by Fitzgerald, was dispersed, Mecklin returned to Castlebar, where he followed his trade of shoemaker. The dog frequently returned to Turlogh, and seldom came back without his errand. Once, however, in his rambles, he was met by Mr. Fitzgerald, who was either forgetful of the identity of the dog, or tired of his master's repeated applications for the reward of his own fidelity, shot him. The spirit of discord was abroad, and now held his court in regal pomp at Turlogh. He deputed his willing substitute, REVENGE, to whisper blood and death to the open ears of Mecklin, and infuse a dose of infernal poison in a naggin of whisky. The potion operates, his blood boils, his veins swell, his eyes sparkle, his sinews stiffen, and rage takes possession of his whole frame. He calls his friends, John Tiernan, William Gregory, and the unfortunate Charles Hipson together, and in the same vessel which the Demon had already made use of, he fills another naggin of that inflammatory liquor. Some of the poison still remains in the vessel, some in the glass—they drink—they feel his wrongs, but not in that degree that could satisfy his swelling heart. He joins the charms of eloquence to those of the envenomed cup, and soon raises them to the desired pitch of ungovernable fury. They encourage each other to revenge, and fly immediately to Turlogh, to wreak upon Fitzgerald's dogs the injury done to Mecklin's.—

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They arm themselves with fufils, and before their design could be known or prevented, three fetting dogs belonging to Mr. Fitzgerald, attracted by an unusual noise made on the bridge, are shot at his door. A fourth rushes forth. Scotch Andrew, to save him from the same fate, runs and catches hold of him. Hipfon, who had not discharged his piece, eager for an equal fhare of honour, calls out to Andrew to let go the dog, and threatens to fire at both. A non-compliance, on Andrew's part, induces Hipfon to make good his promise,—he kills the dog in Andrew's arms. A piercing scream from Andrew, announces his having received a part of the charge. Regardless of his cries, our heroes, seeing they had no more dogs to maffacre, return in triumph to Castlebar, where they relate their own prowefs with exultation, and declare that had George Robert Fitzgerald himfelf come out in defence of his dogs, they would have shot him with as much pleafure as they felt in punifhing his dogs for the crime he alone was guilty of. But he knew the intrepidity of Mecklin and Tiernan too well to hazard himfelf in their prefence, whilft armed and incensed againft him. However, in the firft emotions of his rage, he overlooked all confiderations, and lodged informations againft them all, not for killing the dogs, but for wounding Andrew. Reflections and experience of the desperate refolution of Mecklin and Tiernan, induced him to propofe a ceffation of hoftilities againft them, provided they would abandon Gregory and Hipfon to the full weight of his vengeance. But principles of honour, a fincere attachment,

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or a doubt of Mr. Fitzgerald's sincerity, kept them so closely united, that he could not obtain his wish; he was, therefore, under a kind of necessity of dropping the prosecution, on pretence of deferring it to the next assizes. The forwardness which Mr. Hipson shewed on this occasion was the cause of that implacable enmity which united him with Mr. M'Donnel in the bloody sacrifice offered by Mr. Fitzgerald to the deities of revenge and slaughter. From this time, having no other object in view, he exerted all his faculties to compass the only purpose his soul was bent upon, the removing of the chief object of his detestation, the bane of his repose, Patrick Randle M'Donnel. Various schemes were proposed,—some were rejected, and one in particular was adopted, which was near being crowned with the wished-for success; this was that John Fulton, and ———

——— should conceal themselves in the walls of a ruined building, near which they knew that Mr. M'Donnel almost daily passed, and from thence take his life undiscovered. The two villains took their stand accordingly, and almost succeeded, as Mr. M'Donnel was desperately wounded in the leg. One Murphy, on whom a heavy suspicion of being concerned in this last act of violence, fell, being taken, was closely examined, and held in prison, in hope that through him some discovery might be made of the author, or perpetrator of the attempt upon Mr. M'Donnel's life.— But finding that no satisfactory intelligence could be procured from him, he was discharged, and of him Mr. Fitzgerald made a pretext for the obtaining

obtaining those warrants, on pretence of which he at length completed his long threatened vengeance. Mr. Alexander O'Maley, of Eden, in the county of Mayo, once a Justice of the Peace for that county, signed the warrants,—and warrants he would have signed for any man, whose sectecy he could depend upon, if his generosity in rewarding his trouble kept pace with the obligation. Oaths he seldom required, when a friend was to be served; and Mr. Fitzgerald and he were long acquainted, and united by mutual services. The warrants lay over for a considerable time, as the wound in Mr. M'Donnel's leg prevented his going abroad.

And here a new scheme of the deepest villainy is laid and carried on, unsuspected and undiscovered, until it proved too late to prevent its effects.

John Chawnor had always been the most zealous of Fitzgerald's partizans, and the most forward to execute any plan of wickedness; of him the instrument is made by which M'Donnel is to be brought to the stake. A pretended quarrel, attended with bitter abuse on the side of Fitzgerald, and poignant reproaches of ingratitude on that of Chawnor, are played off in presence of some people, who, it was known, would report the rupture in Castlebar; and the treacherous tool applies to the now-infatuated M'Donnel for an employment in his service. He is received with open arms, and entrusted with the management of all the substance of M'Donnel, at Liberty-Hall, such was the new

name bestowed on the place, which had formerly been called Chancery-Hall. Whilst the unfortunate man remained confined by the wound in his leg, Chawnor was his faithful servant; but so soon as he was able to ride abroad, he affects a disgust, and goes to Castlebar to request that his new master would accompany him to the country house to receive his accounts. Unsuspicious Mr. M'Donnel falls headlong into the snare. His apprehensions of Fitzgerald rendered him so cautious, that he went round by Minola, in hope that by such means he should elude the vigilance of his enemy—but in vain. Chawnor was attended by a spy, who ran directly to Turlogh to inform them there of Mr. M'Donnel's motions, who still apprehensive of the consequences, requested Messrs. Andrew Gallagher and Charles Hipson to accompany him. They, unconscious of the deceit, and confident of Chawnor's honour, consented to go with him, and hoped that their number and the arms which they carried with them would protect them from any attack.

That Chawnor was privy to Fitzgerald's design will appear when we consider, that on the evening before this twenty-first day of February 1786, Scotch Andrew had assembled as many of his master's tenants as possible, to attend on the taking of M'Donnel, Hipson, and Gallagher, on the warrants granted by Mr. O'Malley against them, on the information of Murphy. The three destined victims having done the business that brought them to Liberty-Hall, departed from thence with an intention of returning

returning by the road they had taken in coming, but had not gone far when they were informed by two of M'Donnel's servants, that his house was attacked and threatened to be set on fire. Had M'Donnel taken the advice then given him by his companions, of riding off to Swineford, as they were all well mounted, and Fitzgerald's party almost all on foot, he might for that time have escaped the fate intended for him. He flattered himself that their number would protect them, and accordingly took shelter in a large house at Ballyvary, which was soon surrounded by near a hundred armed men, who were headed by Fitzgerald in person, disguised in a frieze coat, commonly called a riding coat. Several shots were fired at the house, probably to amuse the defenders, whilst the door was broken open. Hipson and Gallagher, who were not so apprehensive of danger for themselves as for the gentleman who had always been obnoxious to Mr. Fitzgerald's resentment, prevailed with him to stretch in a heap of malt that lay in one of the rooms, and immediately yielded themselves prisoners. Their submission produced little emotion in the breasts of Fitzgerald and his blood-hounds. M'Donnel was his object, and too soon was his malice gratified, by a loud shout, which announced that M'Donnel was in custody. A gleam of joy now sparkled in Fitzgerald's countenance, and his expression on the occasion sufficiently testified, that he would show no mercy to a man whom he considered as his greatest enemy. "Damn you, you cowardly rascal, I have long wished to have a shot at

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you;

victims are led to the place of execution, and Mr. Fitzgerald gives the final orders to his confidants, "not to make a botched piece of work of it as was often done before, for that M'Donnel and he could not live in the same country together, and if M'Donnel was not shot, he would quit the country." Hipson and Gallagher are bound together, and M'Donnel is suffered to ride his mare. They had not gone far when a shot was fired from behind the wall; Andrew, as directed, cried out a rescue, and immediately Hipson is shot dead; Gallagher, who was tied to him, though but wounded in the arm, falls down along with him, dragged down probably by the weight of his companion:—M'Donnel, having his arm only broke, might have escaped, as his mare, unaccustomed to the noise of fire-arms, forced the villain who held her to forego his hold, and ran off with him, had not another, whether placed there purposely or not we cannot discover, prevented his passing the bridge of Killnacarra, by stopping his mare and threatening himself with a hatchet or bill-hook which he held in his hand. Here he begged for some sort of refreshment, as the fright, the wounded arm which dangled by his side in very great torture, and the terror of death, which he now saw to be inevitable, threw him into a weakness. A boy handed him a draught of water in a wooden vessel called a noggin; and just as he had taken this miserable refreshment, Andrew came up with a blunderbuss; M'Donnel, as is very natural, pleaded for his life with all possible earnestness; but the villain answered him,

him, swearing "that if he was his mother he would drive the contents through his soul."—The unfortunate man now stooped his head over his breast, and in a feeble voice said, "here then take it," and the blood-thirsty, inhuman wretch lodged above a dozen slugs in his head, breast, and shoulders, so that he instantly expired. The party were so taken up with the pursuit of M'Donnel, and so well satisfied that Gallagher, from his falling with Hipson, was dead likewise, that had he remained where he fell and counterfeited death, he might have avoided those dangers to which he was afterwards exposed, and from which Divine Providence alone preserved him, that he might be a means of bringing the authors of this bloody tragedy to condign punishment. So soon as he saw the coast clear, wounded as he was he scrambled away, and endeavoured to escape by concealing himself in a thicket; but Mr. M'Donnel being dispatched, and the murderers on their return, he was missed, sought for, discovered, and dragged back to the house of Turlogh. Here Gallagher remained for some hours in uncertainty; some expressions he had heard from Fitzgerald and Brecknock gave him to understand that his life must be taken away, lest he should prove a witness against the advisers and perpetrators of the murder; and indeed there are many reasons to believe that he would have been sacrificed to their general safety, had not the report of the crime that had been committed reached Castlebar timely, so that an universal ferment took place in that town, and the military quartered there, the

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Volunteers, and in short every man capable of assisting in the taking of the advisers and perpetrators of the murder hastened, on the wings of vengeance, detestation, and horror to Turlogh. All their resolution, all their cunning seem now to have forsaken Fitzgerald, Brecknock, and the rest of his party; Andrew alone was present to himself, and mounting a good horse, and arming himself with a case of pistols, made his escape to the county of Dublin or Wicklow, with an intention of passing into England. Many of the other persons concerned yet remained in the house. The Carabineers were drawn up before the door, and might have been killed every man, had the people in the house fired upon them. At length the mob, as they have been called, headed by John Gallagher, a Coroner of the county of Mayo, forced open the house, entered, rescued his brother, and used his utmost diligence in searching for Fitzgerald, as he was to receive a considerable reward for taking him, in consequence of writs directed to him for that purpose. It is more than probable that Mr. Fitzgerald would have been immediately sacrificed to the fury of the inhabitants of Castlebar, who loved M'Donnel to a very great degree, had not John Gallagher and the Revd. Thomas Ellison protected him, after dragging him out of a trunk, where he lay covered up with cloaths, and a loaded pistol in each hand, and brought him, with about twenty of those concerned in the murder, to Castlebar, where *they* were lodged in the common goal, and *he* in the Marshalsea-chamber. The mob, as they were called,

called, did, it must be owped, commit very great and unwarrantable outrages in the house of Turlogh, and we make no doubt but they laid hands on many valuable articles, several of which were afterwards restored, and some most probably never will. On the night of the day on which the murder was committed and the prisoners lodged in goal, which was the 21st of February, 1786, a party of men whom it seems Mr. Fitzgerald himself could not ascertain, entered the prison with pistols and sword-canes, and fired several shots at George Robert Fitzgerald, one of which entered a little above his knee and lodged near his hip; they then put out the candle that was in the room, and attacked him with naked blades to which the canes served as sheaths, and wounded him in the arms, legs, thighs, and body, and one of the party, to prevent a possibility of his surviving, having found the brass candlestick the light had been in, groped for his head in the dark and struck him with it, by which he must have perished, had not his own amazing activity, by dint of contortions, which enabled him to elude the shots, the thrusts, and the stroke of the candlestick, saved him. There cannot be a stronger proof of the detestation and horror that were entertained of his conduct in the county of Mayo, and of the affection for the person, and approbation of the conduct of M'Donnel, than this premature, illegal, and we must own barbarous attempt on the life of a man already in the custody of the law, and in all appearance on the eve of being legally, openly, and shamefully punished for his improper behaviour through

through his whole life, by virtue of his being convicted of one crime, horrid indeed, and barbarous beyond example or precedent. The reader will please to recollect that from the time of Dr. Martin's chusing Mr. M'Donnel for his friend in the affair between him and another physician, an intimacy subsisted between Dr. Martin and Luke Higgins, and Charles Higgins was brother to Luke; Edward Martin was brother to the Doctor. John Gallagher had been very active in taking him, and Andrew Gallagher was one of the most material witnesses against him. There are circumstances which we thought it would be necessary to premise, that a material part of the sequel of this work may be rightly understood. On the day next after that of the assault, he sent for the Hon. John Browne, and lodged with him an information against James Martin, commonly called Dr. Martin, against whom he entertained an old and special grudge, and one Clerk a wheelwright or carpenter, and several other persons, whom after mature deliberation, and being frequently desired to recollect if he knew any of the other assailants, he still persisted in denying a knowledge of any but the two before mentioned. Mr. Browne himself wrote the information, and in presence of Mr. Ellison, gave Mr. Fitzgerald every opportunity of accusing as many as he could recal to mind:—Reflection, and probably the advice of his experienced friend Brecknock, induced him in about a month after to lodge fresh informations, in which he named John Gallagher, Andrew Gallagher, James Martin, Edward Martin, Luke

Luke Higgins, and Charles Higgins, and totally omitted Clerk. In his second information he charges those persons, or some one of them with having robbed him of twenty-five guineas and his watch and seals, though he did not mention a word of them in the first. We shall not attempt to make reflections on those circumstances, but shall leave our readers to make such comments as they shall think proper on the whole transaction, and hasten on to relate what passed at the assizes. On the 10th day of April following, the Lord Chief Baron Yelverton and Mr. Baron Power, after reading their commission, adjourned to Tuesday the eleventh day of the same month, when the following Grand Jurors were sworn :

Sir Neil O'Donnel, bart. Foreman ;—Right Hon. James Cuffe ;—Hon. Henry Browne ;—Thomas S. Lyndsay ;—Charles Costello ;—John Bingham ;—Thomas Lyndsay, sen. ;—Thomas Lyndsay, jun. both of Holly-Mount ;—Francis Knox ;—Arthur French ;—George Miller ;—Christopher Bowen ;—Wm. Rutledge ;—Hugh O'Donnel ;—James Browne ;—Thomas Ormsby ;—John Ormsby ;—Richard Blake ;—Edward Browne ;—Wm. Brabazon ;—George O'Maley ;—Wm. Orme ;—and James O'Donnel,

Who found the indictments against George Robert Fitzgerald, and Timothy Brecknock, for provoking, stirring up, and procuring certain persons therein mentioned, to flee and murder Patrick Randle M'Donnel and Charles Hipson.

Hipson. And against Andrew Creig, James Foy, John Fulton, Charles King, John King, Abel Fulton, John Murphy, James Masterfon, John Cox, David Saltry, otherwise Simpson, Philip Cox, Richy Law, John Huston, William Fulton, Samuel Stephenfon, John M'Mullen, William Kelly, William Logan, Robert Logan, Wallace Kelly, James M'Cullagh, John Chambers, John Chapman, Archibald Newen, John Bernee, Humphry George, Michael Brewing, John Rehenny, William Robinson, and Patrick Dorneen, otherwise Downey, for with force and arms making assault upon and murdering Patrick Randle M'Donnel and Charles Hipson aforesaid. The Sub-sheriff being sent to call George Robert Fitzgerald into Court to answer for himself, he absolutely refused to go with him, desiring that the High-sheriff should come to him. On his coming to him, he said he was not able to go, the Sheriff proposed to bring him in a carriage, with which he seemed to comply until a coach was brought, and then he said the Judges must come to him. His counsel spoke very learnedly and warmly in his favour, but being overuled, he was at length carried in his bed on men's shoulders to court, and carefully placed on the witnesses table, where he pleaded not guilty to several indictments preferred against him. Brecknock made several objections, one of which was, that being asked how he would be tried, and told to answer by God and his Country, he answered, "I should chuse to be tried by God but not by your country." The Chief Baron informed him that if he persisted in not pleading in the
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established form he would consider him as mute and pass sentence upon him. This extorted a submission, not without another observation, "that it was impossible to be tried both by God and the country, as they were distinct propositions." After which all the persons above-mentioned severally pleaded not guilty. After the indictments were read and pleaded to, Mr. Stanley, one of the counsel for the prisoners, moved to have the trial put off, by producing an affidavit signed with Mr. Fitzgerald's mark, stating that, having been arrested on the 21st day of February, his tenantry was banished, and himself attacked in prison, as likewise that four witnesses material to his defence were absent. The Attorney-General made some objections; but the Chief Baron, in consideration of Mr. Fitzgerald's ill state of health consented to postpone the trial until the 7th day of the ensuing month of June, when Mr. Baron Power and he would return to Castlebar to try the merits of that cause.

The bills of indictment being likewise found against Andrew Gallagher, John Gallagher, James Martin, Edward Martin, Luke Higgins, and Charles Higgins, for an assault upon George Robert Fitzgerald in the goal of Castlebar, the Attorney-general declared that he had orders to prosecute them with the same rigour as the others, and they were accordingly arraigned, and having pleaded not guilty, a motion was made by Mr. Browne and agreed to, that they should be admitted to bail on giving very large security;—an indulgence that was absolutely

solutely refused to Fitzgerald, Brecknock, and their party.

On the 7th of June, the Judges came to Castlebar, pursuant to adjournment. The town was never known to be so crowded on any occasion,—numbers came from all parts of the kingdom to see the trials. Many gentlemen were forced to bring beds with them from home, and gladly paid a guinea for the use of a thatched cabin in the vicinity to sleep in.

On the morning of Thursday the 8th, the Court-house was crowded at seven o'clock, so that there was the utmost difficulty for the most necessary persons to obtain a passage. The Lawyers, on either side, shewed their skill and elocution in an argument of considerable length, to determine whether Mr. Fitzgerald should be first tried or not; but, at length, it was agreed, that leaving out Andrew Gallagher, as he was a witness against Mr. Fitzgerald, the other persons who were accused of the assault upon him in the goal, should first abide their trial; and accordingly John Gallagher, James Martin, Luke Higgins, Charles Higgins, and Daniel Clerk, were put to the bar,—and the following gentlemen were sworn of the Petit Jury:

Domnick Geffry Browne, of Castle M'Garret;—Honourable John Browne, of Elm-Hall;—James Browne, of Browne-Hall;—Peter Lynch, of Castlecarra;—James Lynch, of Cullen;—John Moore, of Ballintaffy;—James Gildea,

Gildea, of Cosslogh ;—John Joyce, of Oxford ;—Edmund Taaffe, of Woodfield ;—William Ousley, of Rushbrook ;—Bernard Stewart, of Castlebar ;—Valentine Jordan, of Old-Head.

Mr. Fitzgerald himself was the first witness examined ; but there appeared so much inconsistency in his two indictments, and these again differed so much from his depositions on the table, that the Court and Jury did not consider it as sufficiently home to the prisoners, especially as the five other witnesses only constituted the assault made upon him, but not the identity of the persons. Four witnesses proved that some of the persons could not be present at the assault.

The Chief Baron having summed up the evidence, and given a very impartial charge to the Jury, they retired, and in a few minutes brought in their verdict NOT GUILTY. On which the prisoners were all discharged,—and the Court adjourned to eight o'clock on Friday the 9th.

When the Court being sat, a fresh argument arose,—the Counsel, on behalf of Fitzgerald, endeavoured to prove that the persons who actually committed the murder on Patrick Randle M'Donnel and Charles Hipson, should be tried before the accessories, which was refused,—the following Petit Jury was sworn to try George Robert Fitzgerald for procuring said murder :

Thomas

Thomas Lyndsay, of Hollymount ;—Smith Steele, of Foxford ;—James Lynch, of Cullen ;—John Moore, of Ballintaffy ;—James Gildea, jun. of Cofslogh ;—John Joyce, of Oxford ;—William Ousley, of Rushbrook ;—Thomas Ormsby, of Ballynamore ;—Joseph Lambert, of Togher ;—William Ellison, of Tallyhoe ;—Christopher Baynes, of Lakeland ;—James Miller, of Westport.

Five witnesses were examined, with respect to Mr. Fitzgerald's having procured the murder, three of whom proved satisfactorily that he was the adviser and contriver of it : these were Andrew Gallagher, William Kelly, and Andrew Craig ; the two last were aiding and assisting in the fact : the other two, the Reverend Messrs. Ellison and Thompson, only corroborated the evidence of Craig. Nine witnesses were examined on the defence, but their testimonies tended chiefly to invalidate that of the witnesses for the prosecution.

The *Lord Chief Baron* then proceeded to charge the jury to the following purport : That the prisoner, George Robert Fitzgerald stood indicted with another, for having of *his malice premeditated, wilfully and traitorously, provoked, stirred up, and procured*, Andrew Craig and others, to slay and murder one Patrick Randle M'Donnel, in the very words of the statute of the 10th of Henry VII. and the indictment proceeded to aver, that a murder was actually committed on the said Patrick Randle M'Donnel,

nel, by means of the provocation, stirring up, and procurement of the said George Robert Fitzgerald.

There was also another indictment against him of a similar nature, for the provocation, stirring up, and procurement of the murder of Charles Hipson.

The whole was but one transaction, and the evidence went to both the indictments ; a great part of what had been stated in evidence on the table, had been merely introductory—a great part of it was not material, and drawn forth, not by the examination of counsel, but from the eagerness of the witnesses. He would endeavour to select such parts of it as appeared to him applicable to the case before the jury, and was happy to find that some of them had themselves taken notes.

The *Chief Baron* then went through the material parts of the evidence, except that given by Andrew Craig, which he did not recapitulate, but said he would leave entirely to the jury, subject to this observation, that being indicted for the same offence himself, and a principal actor in it, he had sworn with a halter about his neck, and therefore his evidence ought not to be lightly received, but weighed in the scales of probability, even to a scruple, and no further believed than as the evidence of other witnesses, where they swore to the same facts, confirmed it, or where he was the single witness, rendered it probable. He said, that to convict

the prisoner of the offence laid in the indictment, it was necessary first to prove that a murder was committed by persons named in the indictment, or some of them ; next that they acted by the procurement of the prisoner. That it was proved that two homicides were committed, and committed by some of the persons charged in the indictment, with that fact ; for all those who were named by the witnesses to have been in the guard, when that fact was committed, were part of the fifteen or sixteen charged in the indictment. But whether these homicides amounted to murder would depend partly on evidence, and partly on matter of law ; that if they believed the evidence for the crown, the persons who composed the guard had directions to shoot and make sure of their prisoners, if there was even the colour of a rescue ; that there was in truth no rescue, but merely a shot fired by one of their own body to give the appearance of a rescue, and that thereupon Hipson, though bound with cords and unable to resist or escape, was shot dead upon the spot, and M'Donnel shot in the arm, and when lying on the bridge helpless and unresisting, dispatched. The prisoner indeed attempted to justify these homicides, by proving an endeavour to rescue by some friends of the deceased. What credit John Love, who gave an account of this transaction, to which he was the single witness, deserved, we must leave to the jury : but supposing, according to the evidence of that witness, that twelve men had actually come and fired upon the guard, were they therefore to kill their prisoners ? certainly not.

not. They might *perhaps* be justifiable in killing the assailants, but not in killing their prisoners, who neither joined in the rescue, nor made the least attempt to rescue. He conceived, that to kill prisoners charged with a misdemeanor, or arrested by civil process in case of flight or rescue, would be murder or manslaughter, according to the circumstances ; and that the killing a prisoner even under a charge of felony, could not be justified, but where his own flight or resistance was attended with circumstances which shewed that he could not be otherwise overtaken or rescued. The killing should not appear to be wanton killing, but founded in necessity for the execution of the law, and the advancement of justice.—But what was the charge against the prisoners here ? The word feloniously is introduced into two of the warrants, though the fact stated in them does not amount to felony. They are both signed on the same day ; and, to the shame of the commission of the peace ! by the same magistrate, for the same fact and purpose ; the one clearly supplemental to the other. It was with reluctance that he observed upon another warrant, by another magistrate, that the word *burglariously* appeared upon the face of it, though upon inspection, the entry charged as a crime upon the warrant, was not done with any felonious intent, and such an intent must always appear, in order to constitute that crime which is denominated *burglary*. The whole seemed one connected plan, to give a colourable foundation for the killing of the prisoners : he meant Hipson and M'Donnel ; and he had

no doubt but that in point of law, that killing under all the circumstances of the case amounted to murder. It was most necessary to shew, that the persons who committed this murder, acted by the procurement of the prisoner; and of this there was abundant evidence, if they believed it.—Evidence of a plot laid by the prisoner against the lives of the deceased and Gallagher; a plot to take away their lives under colour of law;—charges of felony introduced into warrants when no felony appeared to have been committed;—a law-book produced by Brecknock, and a passage read out of it by the prisoner, to shew that it was lawful to shoot a prisoner charged with felony, in case of a rescue.—Evidence of great joy expressed by him when the unhappy men were taken under these warrants. Evidence of directions given by him to be sure to kill them if there was even the colour of a rescue. Evidence of a sham rescue contrived by the prisoner for that purpose. The deceased killed under colour of this rescue.—Evidence of great dissatisfaction expressed by him at the escape of one of the unhappy victims. And the horrid expression of “*dead men tell no tales.*”——All this and more had been laid before the jury, and was sufficient, if they believed the witnesses upon whose credit it was their province to decide, to bring the charge of procuring the murder to be committed, home to the prisoner.

He then observed upon the evidence of some witnesses examined by the prisoner, to impeach the credit of the witnesses for the crown. Whether

ther the evidence of those witnesses contradicted that of the witnesses for the crown, in points so material, as utterly to destroy the credit of the latter, he must leave to the jury to determine? Upon the whole, if they believed the witnesses for the crown, they ought to find the prisoner guilty; and if not, they ought to acquit him.

Baron Power. If this were a mere question of fact, unincumbered with law, he should not trouble the jury with one observation; but, as a question of law, of importance to every subject, and which seemed not to be well understood, was involved in the general question for the consideration of the jury, he would state what the law was, calling upon the learned counsel for the prisoners, to set him right if he mistated any one rule or principle of law.

The crime of murder, he observed, had been made high treason in this kingdom so long ago as the 10th year of King Henry VII. not as some ill-informed historians suppose, because murder was then more frequent in Ireland than in England, but because the benefit of clergy was then allowed in murder, both in England and Ireland, and as it was found no easy matter in England to exclude murder from this privilege, (for it was not until the reign of Henry VIII. and Edward VI. that in England any but the unlearned, who least knew the nature of the crime, were capitally punished for murder) the legislature in Ireland declared murder to be high treason, to which the benefit of clergy never did at common law extend.

Murder

Murder being then made high treason in Ireland, this rule of law must necessarily have followed that "every act which in felony made men accessaries, will in high treason, make them principals:" but the legislature, not content with this derivative treason, expressly declares—that if any person shall of malice prepenſe *provoke, stir, or procure* any person to *murder any of the King's subjects*, he shall be deemed a traitor attainted of high treason, as if he had been guilty of treason against the King's person—It is on this part of 10 Henry VII. the prisoner at the bar stands indicted. And the indictment very properly alledges the murder to have been committed. Thus the crime of murder, and that of procuring it to be committed, is made one and the same crime; whereas if the procuring murder remained an accessorial offence, it would not in consideration of law be the same offence as murder, because the offences of principal and accessory specifically differ.

Out of this charge, he observed, two questions must arise; it being confessed on both sides that an homicide was committed.

First, was the homicide murder? or was it man-slaughter, or justifiable, or excusable homicide?

Secondly. Did the prisoner *provoke, stir, or procure* any of those persons named in the indictment to kill Mr. M'Donnel?

If,

If, from the evidence the homicide be not murder, but man-slaughter, or justifiable or excusable homicide, there will be an end of the present indictment against the procurer; the prisoner cannot be said, to have procured that to be done, which never was done. With respect to the evidence, he told the jury, that whether the matters of *fact* alledged on the part of the prisoner, either as a justification, excuse, or alleviation, be true or not, was the proper province of the jury, and of the jury only; but whether, if true, the homicide be justifiable or not, was the province of the court. That an homicide was committed was confessed on the part of the prisoner: but that the persons who committed it were guilty of murder, is denied; and though they were guilty of murder, it is denied also that the prisoner did provoke, stir up, or procure any person to commit that murder.

With respect to the first question, whether those who committed the homicide were guilty of murder or not—he observed, that the *justification* set up, on their parts, was this—that M'Donnel, Hipson, and Gallagher were prisoners in custody of the law, charged with a criminal offence—that a rescue was attempted by or on the part of the prisoners—that M'Donnel and Hipson were shot in consequence of that rescue, and the homicide justifiable.

The second question was a mere matter of fact, proper only for the jury to determine; it was

was sworn by three witnesses that he did procure some of those persons to commit the act, but whether those witnesses deserved credit, they (the jury) were the only judges—he should only observe, that if any of them deserved credit, there was sufficient evidence in point of law to support that bill of indictment.

The justification he said, involved two questions :

The first, a question of *fact*. Whether a rescue was attempted or not, by or on the part of M'Donnel and Hipson ?

The second. Supposing a rescue was attempted, whether under all the circumstances of this case the homicide was justifiable ? And here he stated that, from the nature of the defence, it could not be excusable homicide, either on the principle of misadventure or self-defence ; neither could it be man-slaughter, because if no malice, express or implied, appeared in this case, it would be justifiable homicide—it must be justifiable homicide, or it is murder.

In considering the first question, whether a rescue was attempted or not ? he would only say, that the jury should reflect on the relative situations of the persons alledged to have attempted the rescue, and those who were appointed to guard and conduct them. Hipson and Gallagher were tied together, and M'Donnel on horseback, with his horse led by a man armed——thus *three* men unarmed, guarded by

by *twenty* or *thirty* men all in *arms*, (twenty was the number sworn to by Craig) are said to have attempted a rescue. And with respect to the evidence of Love, who swore that he heard a party swear they would rescue Patrick Randle M'Donnel, what does he say? that the moment after they had discharged their fire-locks, without the least attempt on their parts to effect their avowed purpose, they ran away. The probability of such evidence as that of Love, when the jury came to weigh that question would, he said, well deserve their consideration.

The next question, (a mere question of law) was whether, supposing a rescue was attempted by or on the part of M'Donnel and Hipson, the homicide can be justified? Before he stated what the rule of law was, he was bound to observe, that several strong objections were made by the *Attorney General* to the warrants under which M'Donnel, Hipson, and Gallagher were arrested; but, if the prisoner had failed in proving the justification, whether these warrants were illegal or not, would cease to be a necessary object of inquiry; he would therefore consider the justification.

Supposing then a rescue to have been attempted, the rule of law in every such case, he said, was this, where any person having authority to arrest or imprison, using proper means for the purpose, is resisted, and the party resisting is killed, it is justifiable homicide. So, if a felon attempts to fly from justice, and
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in the pursuit the party flying is killed—*where he can't be otherwise taken*—it will be justifiable; but, in both cases, it must appear that there was an *apparent absolute necessity* on the officer's side—it must appear that the prisoners could not be detained in custody unless such homicide was committed; and if such apparent necessity does appear in this case, it will not be murder in the officers, it will be justifiable homicide—the officers were then guilty of no fault, not in the minutest degree.

What evidence then is there of any such apparent absolute necessity? Might not the prisoners have been detained in custody, without committing the homicide? Twenty men armed, guarding three prisoners unarmed and tied, are attacked by twelve men who fire over a wall, but immediately fly and run away, what necessity was there to fire at the prisoners then in custody? they were unarmed, and it is not pretended they attempted to fly until they were fired at. No absolute necessity therefore appeared in evidence to justify the homicide, and in such case he was bound to declare, that it was murder in the persons who fired, and all who were present, aiding and assisting. But if any doubt remained on this part of the case, it would well deserve the consideration of the jury, whether upon the whole of the evidence, this transaction did not appear to be an artful device and contrivance to take away the lives of the deceased under colour of law. If it did, it was murder in all who were privy to the transaction, murder highly aggravated—if murder

der was capable of aggravation. Such a scheme, he said, carried with it internal evidence of cool and deliberate malice, and, in point of law, it was murder in all who were privy to, and carried the plan into final execution : but this case, he observed, did not rest on implied malice, evidence of express malice was given.

Upon the whole, he said, that it was to him clear, that the justification insisted on on the part of those who committed the homicide, could not be supported by any rule or principle of law—those who committed the homicide were therefore guilty of murder ; but it remained for their consideration, whether the prisoner did *procure, stir up, or provoke*, any of the persons named in the indictment to commit the murder ? That was a question merely for the consideration of the jury : from the court they were to expect no opinion, it depended on the evidence, and the credit due to the witnesses, of which they (the jury) only were the judges ; if they were fully and clearly of opinion, that he did, and that the murder was accordingly committed, they could have no hesitation in finding him guilty ; but on the contrary, if they did believe that no murder was committed, that the prisoner at the bar did not *procure, provoke, or stir up*, (to use the words of the statute) any of the persons named in the indictment, to commit the murder, then they were bound to find him not guilty.

After

After a short absence, the jury came into court, and pronounced their verdict, with feelings of regret and compassion for a man who might have been an ornament to his country, and an useful member of society, had his conduct corresponded with his birth, fortune, connexions, and the many talents which he himself obscured by yielding to pernicious passions, vanity and revenge, he was pronounced **GUILTY**,—and at twelve o'clock at night the court adjourned to eleven o'clock, on Saturday, 10th of June.

Pursuant to adjournment, the court met on Saturday, at eleven o'clock, and the following jury being sworn :

Thomas S. Lyndsay, of Milford ;—Peter Lynch, of Castlecarr ;—Thomas Lyndsay, jun. of Hollymount ;—John Bingham, of New Brook ;—William Oulley, of Rush Brook ;—Bartholomew French, of Rockfield ;—Arthur Lyndsay, of St. Audreys ;—Thomas Ormsby, of Ballynamore ;—Martin Kirwan, of the Grove ;—Edmund Gildea, of Weatherfort ;—Joseph Lambert, of Togher ;—Courtney Kenny, of Ballinrobe.

James Foy, John Fulton, John Cox, James Masterfon, David Saltry, otherwise Simpson, Philip Cox, William Fulton, Archibald Ewing, otherwise Newing, John Bernee, Humphry George, Michael Brewing, John Rehany, William Robinson, and Wallace Kelly, were put to the bar, and pleaded not guilty
to

to an indictment, setting forth that they did, on the 21st day of February last, slay and murder Charles Hipson, at Gortnefulla, near Turlogh, in the county of Mayo. The witnesses against them were the same as deposed against Fitzgerald ; but the degrees of guilt of those persons being exceedingly different, we shall just observe what appeared upon the evidence. It is clear from what Andrew Gallagher and Andrew Craig swore, that John Fulton was guilty in the highest degree, as he was not only in the secret that the rescue was but a sham ; he was likewise most probably the person by whose hand Hipson received the wound of which he instantly died. William Fulton was guilty in an inferior degree, as he shewed the inclination to do ill in accompanying those who were sent on so bad an errand, and threatening the life of Gallagher. Archibald Newing, John Rehany, and David Simpson, though they did not fire, yet carrying arms, and shewing thereby a willingness to be concerned, if necessary, in the murder, rendered them obnoxious to the punishment as much as if they had been in the secret.

The *Chief Baron* then charged the Jury, and observed, that the cases of the prisoners charged in the indictment stood on very different grounds. James Foy, John Cox, James Masterion, David Saltry, Philip Cox, John Berney, Humphrey George, Michael Bruen, or William Robinson, did not appear to have been of the guard at the time the deceased were killed, nor to have conducted them on their way ;
and

and therefore it was but reasonable to suppose that they declined to act in obedience to the directions given them to shoot their prisoners in case of a rescue; and if the Jury were of that opinion they ought to acquit them. James Foy was perhaps guilty of some other offence, but not of that laid in the indictment. But as for John Fulton he was proved by three witnesses, not only to have been of the guard at the time when they fired on their prisoners, but he was also proved by two witnesses to have been privy to the secret, that the rescue was only a pretence; so that if the Jury believed the witnesses they ought to find him guilty. David Simpson was proved by three witnesses to have been of the guard when they fired on their prisoners, and by two to have been one of those who fired. Archibald Newing, and John Rehany were proved by two witnesses, and Wallace Kelly by one, to have been of the guard at the time of firing, but it did not appear that they, or any of them joined in the firing—However, he conceived the law to be, that when a number of persons enter into an unlawful design, and combine together to execute it, the shot, or stroke of one, is the shot or stroke of all. There was also another legal consideration to be attended to, and that was, that supposing the deceased to have been arrested under lawful process, and an attempt made to rescue, but without effect, and without any resistance on their own part, or any attempt to escape and no necessity shewn for the killing, there could be no doubt, that in point of law, that killing was murder.

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It had appeared indeed that some of these men were ignorant whether there was a real attempt to rescue; but the whole party had received directions in case a rescue was attempted, to kill their prisoners at all events, and they pursued these directions in a manner that shewed a determined purpose to execute their horrid commission, whether there was any necessity for it or not. They might perhaps be deluded with a belief that it was lawful to do so; but in his apprehension that was not sufficient to justify or excuse them in the eye of the law, of which every man is presumed to be conscious. It might weigh with his brother and himself to lay the situation of those deluded instruments of another man's cruelty and artifice before Government, but would not justify the Jury in acquitting them.

As to two of them, Wallace Kelly and Rehany, the two stories are so like, that they cannot be easily reconciled to belief. If, however, the jury did believe the testimony of their witnesses, in contradiction to that of the witnesses for the Crown, they must acquit them; if not they must find them guilty.

Baron Power. The nature of the question now for the consideration of the Jury, made it necessary, he said, to repeat what the law was, that an opinion may not circulate (and which he was sorry to hear had circulated) that wherever an attempt was made to rescue any persons in custody, those who have the custody of such prisoners may kill them; adding, that by stat-
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ing what the law was, men would also see what the law was not.

He observed first, in every charge of murder the fact of killing being once proved, every circumstance tending to justify, alleviate, or excuse, must be proved on the part of the prisoner, unless it arises from the evidence sworn on the part of the crown, the law implying malice, unless the contrary appeared.

That Hipson and M'Donnel were killed by the party sent to conduct them, was a fact not denied. The question then was, whether there appeared sufficient matter to *justify, excuse, or alleviate* that homicide.

Warrants against M'Donnel, Hipson, and Gallagher, for criminal offences, and an attempt made to rescue the persons in custody, under those warrants were the ground and foundation of the justification. (Here the Baron stated those rules and principles of law mentioned by him on the trial of Mr. Fitzgerald,) adding, It would be extraordinary indeed, if what was contended for was the law of any civilized state—that where a rescue was attempted, even without the knowledge of those in custody, it was lawful to kill the prisoners. An apparent necessity for committing the homicide must in every case appear, otherwise an attempt to rescue would be no justification; it was obvious, he said, that such an attempt may be made use of as an artful, malicious device, to kill the prisoners.

Two

Two questions were proper, he said, for the consideration of the Jury.

First. Was there any attempt to rescue?

Secondly. Have we here any evidence of such an apparent, absolute necessity, as he had stated, whether the prisoners could not have been conveyed before a magistrate, or to goal, without committing the homicide? If they could, then, notwithstanding the attempt to rescue, it will be murder: The question of fact was then reduced to this consideration:—Could twenty armed men carry three unarmed men to goal, notwithstanding one shot fired at the rear of the guard, or, notwithstanding (what appeared the day before in evidence) that twelve men from behind a wall had fired twelve shots, without making any other attempt to rescue the prisoners? Upon such a question, he said, little difficulty could remain on the minds of the Jury; it was, however, a question of fact proper for their consideration, and to them he left it, with those observations he had already made.

He then particularly mentioned the names of those in the bill of indictment, against whom no evidence had been adduced, and those against whom the evidence, if deserving credit, was sufficient, in point of law, to support the bill of indictment; observing, that on the credit due to the several witnesses, the guilt or innocence of those sworn against must depend--that, as to those who were proved to be present, aiding and assisting the act of him who fired, was

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the act of all, actually or virtually present, and upon the whole, if they did believe that those who were sworn against, did fire at M'Donnel and Hipson, and that the others (whose names he repeated) were present aiding and assisting, the Jury should find them guilty, otherwise their verdict should be not guilty.

John Fulton, William Fulton, Archibald Newing, John Rehany, and David Simpson, only were found guilty.

The approach of Sunday induced the Chief Baron to propose a delay of passing sentence on Mr. Fitzgerald until Monday, as practised in England; but the Attorney-general objected, as he said, he had been informed, that a motion was to be made in arrest of judgment, and the Counsel on behalf of Mr. Fitzgerald being urged to make their motion, the Court was pleased to give them time until Monday to consider of what was to be done on the occasion; and there remaining nobody now to be tried on this great affair, but Timothy Brecknock, who was the son of the late Right Revd. Dr. Brecknock, Bishop of St. David's in Wales, and was born in the year 1716. That he received a very liberal education is evident from the many pamphlets published by him; the stile or matter of which we shall pass no judgment upon.— He was originally intended for the church, but the death of his father leaving him little hope of advancement in that line, he undertook to study the law in Lincoln's-Inn, where instead of applying himself to the beauties of that science,

science, his attention was engrossed in picking out the surest means of evading justice. The lowness of his circumstances, however, prevented his appearing with eclat in that branch, and he was forced to content himself with being a solicitor; nor can we discover that even in this character he shone, except in one instance, which we shall relate, as it will show the fertility of his invention.

Being employed by a man committed to Newgate for a robbery on the high-way, he chose a method of invalidating the evidence given against him (which was full and convincing) which most probably would not have occurred to any other man existing. It was evident that the robbery was committed at eleven o'clock at night; and that the moon at that hour of that night shone very bright, by which the gentleman who had been robbed, and his servants could distinguish the robber. Mr. Brecknock, to save his client, having had time enough to prepare his defence, produced a counterfeit almanack, by which it appeared that on the night the moon did not shine at all. The imposture was not discovered until the culprit had secured his life and liberty; but left an indelible stain on the reputation of its author.

We are credibly informed that Mr. Brecknock was of a very amorous disposition, and had considerable success amongst married women, and that species of females who practise every art on their keepers, in order to qualify

themselves to support those minions whom they privately retain to supply their pleasures, and with whom they generously share the sums they extort from their credulous keepers. One of his amours, however, was attended with circumstances very disagreeable to him; Mr. La R—— not willing to lie under the imputation of being a contented cuckold, prosecuted Mr. Brecknock for *crim. con.* with his wife, and obtained such heavy damages against him that he was thrown into prison, where he remained until the death of the gentleman whom he had injured. Now restored to liberty his finances were so low that he found himself under the necessity of retiring to Wales, where he became as enthusiastic as he had before been incredulous, and would probably have died there did not the sollicitations of Mr. Fitzgerald drag him from his retreat to be a partaker of his crime and fatal catastrophe.

The Court adjourned until Monday morning.

On Monday the 12th of June the Court met, and Mr. Brecknock being brought to the bar, begged time to pray, and he did accordingly for some time remain in silence, and then claimed a *Medietas Linguae*, but being overruled a Petit Jury composed of the following gentlemen was sworn :

James Browne, of Brownhall ;—Thomas S. Lyndfay, of Milford ;—John Knox, of Ballina ;
—Peter Lynch, of Castlecarra ;—Thomas Lyndfay,

Lyndsay, jun. of Hollymount ;—George Jackson, of Prospect ;—Smith Steel, of Foxford ;—James Gildea, of Cofslogh ;—John Ormsby, of Ballynamore ;—Thomas Elwood, of Castletown ;—John Nolan, of Logboy ;—Patrick French, of Ballyknave.

Mr. Brecknock claimed the right of inspecting the indictment, to see if it was found by twelve jurors or not : but the Chief Baron told him that if it was signed by the foreman for himself and his fellow-jurors it was sufficient, and the trial went on.

Andrew Gallagher deposed that he heard Mr. Fitzgerald say, when Scotch Andrew went to the guard, ‘ hah ! we shall soon get rid of them now ;’ to this Brecknock subjoined, ‘ oh ! that is well, we shall then be easy indeed.’—When the witness was brought back to Turlough, Brecknock told him that he would be punished for so heinous an offence as a rescue.

Andrew Craig swore that he saw Mr. Brecknock on the morning that M'Donnel and Hipson were shot, bring a book into a small room, and pointing with his finger, told Mr. Fitzgerald, ‘ there is the place you want ;’ and Mr. Fitzgerald read, or rather seemed to read a passage from the book, by which he made it appear that it was lawful to shoot prisoners in case of a rescue.

The third witness, Patrick Dorneen, swore that Brecknock was present when Mr. Fitzgerald gave the orders to Scotch Andrew.

James Calpin swore that Brecknock said to the guard when they returned with Gallagher, ' lads, your master is angry for leaving this man alive, for he will certainly do you a great deal of harm.' The defence was rather vague—opinions of witnesses was all that could be adduced of consequence.

The *Chief Baron* then charged the jury, and stated that the prisoner Timothy Brecknock was charged in two indictments with procuring a murder to be committed, and the law had made that crime equal in guilt with the perpetration of murder itself, and with great justice; for the artful wretch who contrives a murder, is more criminal than the unfortunate instrument of his malevolence. To bring this crime home to the prisoner, a murder must have been committed, and by his procurement. That a murder had been committed, was clearly proved by the witnesses, and had been established by six verdicts. To effectuate that murder, a plan, and a very artful plan had been laid. If Andrew Craig be believed, the plan moved from Brecknock, who is sworn to have produced a book, in which it was laid down for law, that it was lawful to kill prisoners charged with felony, in case of a rescue. But credit was not lightly to be given to the testimony of a person of Andrew Craig's description, especially when it appeared by the evidence of
Mr.

Mr. Henry, that Craig was ill-inclined towards the prisoner ; Dorneen, another witness, seemed also to differ from him. That Andrew Gallagher had proved that the prisoner was present, when Mr. Fitzgerald had given directions to the guard to shoot their prisoners, and gave his countenance to these directions. That when Mr. Fitzgerald expressed his opinion, that they should now get rid of these fellows, the prisoner replied, it is well ; we shall then be easy indeed. James Calpin also had given material evidence to shew, that the prisoner was consenting to the plan. Witnesses were examined to the character of the prisoner. The reason why character is allowed as evidence in capital cases is, that the law in favour of life, presumes innocence till guilt has been proved ; and where the matter rests in doubt, evidence of good character fortifies that presumption : but these doubts are not to be light or frivolous doubts, but such as would arise in a steady mind, from a cool and dispassionate consideration of the case. If therefore upon the whole of the case, the jury believed that a plot was laid against the lives of the deceased, and that he was concerned in laying that plot, they ought to find him guilty : but if they thought there was no plot laid, or if there was, that he was neither privy nor consenting to it, they ought to acquit him : or, if they thought themselves warranted to entertain doubts about his guilt, it was their duty to incline to the side of mercy.

Mr. *Baron Power* observed, that this was the same indictment upon which Mr. Fitzgerald had been

been convicted ; but the jury should feel no prejudice on that account against the prisoner at the bar. They were not to infer that the prisoner was guilty, because Mr. Fitzgerald was proved to be so ; the prisoner, said he, may be innocent, notwithstanding the guilt of Mr. Fitzgerald. The bills of indictment were founded on the 10th Hen. VII. charging that the prisoner did provoke, stir up, and procure certain persons to murder Messrs. M'Donnel and Hipson ; to support this charge, it must appear that the murder was committed ; and, notwithstanding the conviction of Fulton and others on the preceding day, the prisoner at the bar might have given evidence tending to justify, excuse, or alleviate the homicide ; but that defence, which had been relied on in the case of Mr. Fitzgerald, he observed, had been wisely abandoned in the present case. That there existed any necessity for committing the homicide, that the law might have been executed, and the persons in custody conveyed before a magistrate, or to gaol without firing one single shot, were facts not in this case controverted on the part of the prisoner—he had rested his defence on stronger ground. His defence is, that he did not provoke, stir up, or procure any of the persons named in the indictment to commit the murder——he observed that four witnesses had given testimony that he did ; but the jury only were the constitutional judges of the fact, and the credit due to those who attested it ; that the prisoner had given evidence of general good character—with regard to this species of evidence, he would give them some legal information. If the fact alledged in the indictment
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be fully and clearly proved, character becomes totally useless. If a man be happy enough to have the good opinion of all his neighbours—to be thought in the opinion of all those present incapable of committing the horrid crime he was charged with—if, notwithstanding, it should be fully and clearly proved that he did kill another without any, or without a sufficient provocation, the unhappy perpetrator, however good his character before was, must answer for the crime; and character will not avail one grain in the scale of justice: but if, on the contrary, the charge be not fully and clearly proved—if it be doubtful whether he was guilty or not—then, indeed, character should turn the scale, and the jury should lean to the merciful side. He concluded, that it should ever be remembered by jurors (to use the highest and best authority) “that it is better ninety and nine guilty persons should escape, than that one innocent man should suffer.”

The jury, having retired for a few minutes, brought in their verdict GUILTY—at the same time recommending him to mercy. The court seems to have thought, from this recommendation, that the jury might still entertain some doubt of his guilt, and therefore asked them if they wished to re-consider their verdict—but the foreman replied in the negative. There remained now but Andrew Gallagher to be tried for the assault on Mr. Fitzgerald,—and
a jury

a jury being sworn, but nobody appearing to prosecute him, he was, as well as the others, instantly acquitted.

The several persons who had been found guilty on Saturday, being called up and put to the bar, and producing no sufficient plea, the Chief Baron pronounced sentence of death on John Fulton, William Fulton, Archibald Newing, or Ewing, John Rehany, and David Simpson, and recommended to John Fulton to prepare himself for immediate execution. And now the goaler being ordered to re-conduct them to prison, and to bring up the other two convicts, Fitzgerald and Brecknock, the Chief Baron took advantage of this leisure, to ask Mr. Fitzgerald's Counsel if they meant to make their promised motion in arrest of judgment, and being answered in the affirmative, he stated the consequences to them in so lucid and satisfactory a manner, that they thought it more prudent to desist; and accordingly the two unhappy men being come into court, Timothy Brecknock was asked if he had any thing to say why judgment of death should not pass upon him, he stated some frivolous objections which were taken no notice of—and then the Chief Baron spoke as follows :

Put Timothy Brecknock to the Bar.

PRISONER at the BAR!

If it is possible there can be any degree of guilt beyond the crime of which Mr. Fitzgerald
is

is convicted, it remaineth with you, Timothy Brecknock; for under the colour of the law, you devised an artful and wicked scheme to commit a horrid and barbarous murder. The laws of the land demand your life as a just forfeit for the blood which has been shed; and those deluded wretches whom you inveigled into your plot, and whom you deceived under hopes of safety, to become the instruments of your horrid designs, are objects of pity, when compared to the magnitude of your guilt. You made their ignorance the means of your purposes. Unfortunate old man! happy had it been for you that you never had known law at all, or that you had known it better. The unhappy gentleman who is now at your side, would not have been brought to the wretched situation in which he now stands, or to the dreadful end which must now await him. Miserable man! you are fallen a victim to your own subtleties, and become the dupe of your own cunning. The venerable appearance you have assumed, and the sanctity which you affect, I fear is put on as a disguise for the concealment of your wickedness. The law which you endeavoured to pervert, has furnished the detection of your crime, and will shortly award the punishment which attends your conviction. Your Jury from a mistaken lenity have recommended you to mercy, not that they doubted of your guilt, but that they pitied your age and your infirmities. Your crime is by many degrees of the deepest and blackest dye, and it only remains for me to pronounce the dreadful sentence.

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He then passed sentence upon him.

The *Chief Baron* then desired the Clerk of the Crown to proceed; who bid the Jailer put George Robert Fitzgerald to the bar; and the Chief Baron proceeded by saying:—You stand convicted of provoking and procuring a horrid, foul, and barbarous murder. It is my duty, and a painful task indeed I feel it, to pronounce that sentence which the law has annexed to your crime. After a long and solemn trial, in which you had every benefit of able counsel, and experienced every indulgence the Court could shew; you were convicted on the clearest evidence, by a jury of your countrymen; in two instances of procuring the murder of two of his Majesty's subjects. An offence which our laws so justly hold in abhorrence, that they have placed it in an equal degree of guilt with high treason against his Majesty's person. In your case, which is an uncommon one indeed! it is attended with a degree of cunning and contrivance which exceedingly aggravate its enormity; but that very cunning which you hoped would have screened you from punishment, has rather led to the detection of your guilt; the laws of your country, which could not endure that they should be made the instruments of their own violation, and the blood of the unhappy gentlemen, who had the misfortune to fall into your hands, and whom you sent into the other world with all their sins upon their heads, call aloud for punishment, and require your life as a forfeit to public justice.—Even Providence has interposed that justice might

might not be disappointed, and in the midst of murder preserved the life of one man, as a witness for the discovery of your crime. The hand of GOD protected your life from assassination, that it might be offered up as a sacrifice on the altar of public justice. In the melancholy situation to which you have reduced yourself, it might be some degree of consolation to your feelings, that your ignominy and punishment were confined to your own person; but your miserable family, though innocent of your crime, are, in some measure, involved in your disgrace, and share unjustly that shame which your ignominious end brings down upon them. The aged parent who bore you in her womb, your tender daughter, the offspring of your loins, your wife, the inconsolable partner of your bed, partake of your disgrace. You came into the world with the advantages of talents, which if properly cultivated would have carried you through life with respectability and honour. See how you have misapplied them. Blest with the recommendation of birth and fortune, allied to great and respectable connections; possessed of every qualification requisite to render you an ornament to society, and a valuable member of the community, you are now sunk to the lowest extremity of human infamy and shame. With a mind susceptible of honourable feelings, you are become an outcast; a victim to the laws of the land, which you live in. It is my duty to pronounce to you the dreadful sentence of the law, but before I do so, let me express my earnest hope that during the time which the mercy of the court has
allowed

allowed you, you have, by a sincere repentance and a heart thoroughly subdued to a sense of your guilt, recommended yourself to that mercy and forgiveness, which you can only expect from the awful tribunal before which you must shortly appear.

Here his Lordship was interrupted by Mr. FITZGERALD, who proceeded as follows :

I beg leave to trouble your Lordships with a few words. I shall be very short. I do not mean to cast blame any where. I accuse no one. From the evidence, the Judges could have given no other charge. The jury could have found no other verdict. I think the verdict of the jury a just one, according to the evidence which was produced ; but I did not think such evidence could have been produced. I did not think such charges could have been made against me, or I should have been better prepared. I had no idea of being found guilty. There are some family affairs which I have been endeavouring to settle, and which in truth are not yet finished, that I could have wished to have completed. All that I request of your Lordship, is to give me the longest day possible, that I may be prepared to meet my GOD. However guilty I may be conceived, within a narrow circle, I hope in a higher one, the unprejudiced part of the world will think me innocent :—Those, who know me from my earliest life, know me incapable of such an action. I never feared death, nor am I afraid to meet it in any shape ; in the most formidable, even
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an ignominious death. It may be thought I wish to solicit pardon, I would not accept of pardon after being found guilty by such a Jury, because I know I could not face the world after it. It has been suggested, and I understand the report prevails, that I wish for time in order to commit suicide. As a worldly man I never feared to meet death; and as a Christian, which I hope I am, and a good one, what sort of passport would that be to the place of eternity?—I forgive every one, and though I assert my innocence, I do not mean to say I have no sins, I have many which overwhelm me, and I only request time that I may make my peace with GOD.

Having finished, the Chief Baron proceeded as follows :

It is not in our power to grant your request. We are not the dispensers of mercy. Your offence is of such a nature, that my brother judge and myself thought ourselves justified to have ordered immediate execution, nevertheless, from the hope that you might be better prepared to meet your approaching fate with becoming penitence; you have been allowed two days.—If by time, you mean a few hours, I am sure the Sheriff will shew you every humanity. It is my duty, and I call God and Heaven to witness, that it is the most painful one I ever performed, to pronounce the dreadful sentence of the law.

Here the Chief Baron pronounced sentence of death upon him on the same day.

And

And now the court being broke up at half past four in the afternoon, Timothy Brecknock and John Fulton were brought to the place of execution in a cart. Brecknock always shewed a great degree of singularity in his diet, which consisted of milk and vegetables ; in his dress, always wearing a very long beard and the plainest cloaths, and in his sentiments, professing himself a millenarian. He made no doubt but that after his death, he should spend a thousand years with Christ, and never repeated any prayer but that which is known by the name of the Lord's Prayer, and that he generally said in Greek : he declared himself conscious of having committed no sin for the last fifteen years before his execution ; shewed a perfect indifference for his situation ; and having pulled out a woollen night-cap, he put it on, and said he should never have occasion for it again ; he exhorted Fulton to take example by him in his contempt of death, advised him to confess all he knew, and putting one hand into his breeches pocket, the other into his breast, in that posture he waited the fatal moment of dissolution calmly. Fulton exhibited the liveliest symptoms of contrition, and in his countenance shewed the strongest marks of horror ; he confessed the justice of his sentence, prayed with great fervour, and was launched into eternity with Brecknock, who remained a long time in agony, until the hangman pulled him by the shoulders and ended his pangs.

At six o'clock Mr. Fitzgerald was led to the place of execution, not in a cart as the others had

had been; he obtained permission to walk, which he did at a very quick pace through a bye-street; amidst an incredible number of spectators, who, though shocked at his crimes, could not restrain the tear of pity at his untimely fate. His usual levity seems to have accompanied him even in this awful moment, for he would not suffer the executioner to adjust the rope—he placed it himself about his own neck. At intervals he prayed with great devotion—at other moments he would bow to some, and converse with others of his acquaintance. Mr. Luke Higgins of Castlebar, who had been acquitted of the assault upon him, in his last moments, prayed him to give a public testimony of his innocence. To which Mr. Fitzgerald replied, “ it is sufficient for you that you were acquitted. I neither can nor will I declare you innocent.” Having now repeated a short prayer, he leaped violently off the ladder, and the rope breaking, he fell to the ground—he recovered himself with his usual agility, and looking round at the spectators, “ you see I am once more come among you unexpectedly,” says he, and then turning to the sheriff, he told him that he knew the rope could hang no body; and desired that he should get another, but not from the same shop. Whilst another rope was bringing, he renewed his prayers with ardour, and, at length, mounted the ladder a second time; but it being observed that he was too low, and requested to go up higher, he absolutely refused, and in that posture, at the dusk of the evening, he was launched into eternity. His body having hung about forty mi-

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nutes, he was cut down, and delivered to some of his servants, who conveyed him to Turlogh, where, being waked that night, he was the next morning buried at the church of Turlogh, pitied by many, and regretted but by very few, as it is certain that had he lived, several gentlemen of the county of Mayo must live in continual suspense and apprehension, from his vindictive spirit, which they, with reason, feared would sooner or later prove dangerous, perhaps destructive to them.

Our readers, we hope, will have no objection to our inserting the following letter, written (as we have very strong reasons to suppose) by the Reverend Henry Henry, as it will serve to confirm the account we have given of the execution, though different in some immaterial circumstances. Nor can we blame the author of it for concealing such points as might prove prejudicial to the memory of the unfortunate convicts.

“ Few events of a private nature have more engaged the attention of the public, than the late melancholy catastrophe in the county of Mayo; and in few instances has misrepresentation been more evident—in few cases has resentment assumed a firmer tone, and proceeded to greater lengths than in this. It is not intended to attempt a vindication of the character of the unhappy victim; he has already been called to give in his account before the tribunal of the Judge of all. But admit that there was not the shadow of doubt, with respect
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to his guilt ; admit that his enormities were as many, and his crimes as great as the report of his most inveterate enemies has made them, has he not paid the forfeit, by his life ? Has he not made atonement to the injured laws of his country, by his death ? Does not regard to the feelings of his distressed and unoffending relations——Does not that charity which hopeth all things, which delights in covering the multitude of sins, therefore, require that the pen of persecution should now stop, and that the memory of his crimes, as far as possible, should be buried with his ashes ? Does it not argue the most rancorous, the most insatiable malice, to continue to reap up his errors, and to expose them with every possible exaggeration ?

But that his guilt was not so certain as the world was made to believe——that there are symptoms of a mystery in this transaction, which the righteous providence of God may yet dissolve ; and that we ought to judge with hesitation, and condemn with abated severity, will appear from the following letter, written by a person of undoubted veracity, who was a witness to many of the transactions of that day on which the unfortunate M'Donnell was killed, who authenticated them upon the trial, and who attended the unhappy sufferer (Fitzgerald) in his last moments. It was received by a gentleman in this city, and would have been published sooner, if that gentleman had not been abroad for some time after it came to hand :

“ My Dear Sir,

“ THE melancholy offices in which I have been engaged for some time past, have so distracted my thoughts and depressed my spirits, that I scarcely know how to write to you. I shall not trouble you with an account of the trial of Mr. Fitzgerald, or of any of his party, as I am sure you must have had it at full length in your news-papers. He was brought in guilty late on Friday night—early next morning his unfortunate wife and I drove to Lord Lucan’s Castle, to wait upon the Lord Chief Baron; she was refused admittance; I was indulged with the liberty of conversing with the Attorney General and Lord Chief Baron. I endeavoured to point out the cruelty of hurrying a man into the world of spirits, who, I was certain, had flattered himself with the hope of being acquitted. The Lord Chief Baron answered me with tears in his eyes, “ that he could not go past his orders,” and gave me to understand, that Mr. Fitzgerald’s time must be very short. I returned to the prison, and informed the unhappy gentleman, that he must expect to meet his God in a few hours.—“ Well, Sir, “ said he, “ I am going to a tribunal where there are no false witnesses; I am conscious of my innocence, with respect to the crime laid to my charge, and I hope God will wash me in the Blood of Jesus Christ from my past offences, and prepare me for meeting him in the Day of Judgment.”

“ On

"On Monday he was taken into court, and sentence was pronounced against him—he requested a few days to settle not only his temporal, but his spiritual concerns—no days would be granted him—he was taken again into prison, and addressed his fellow-sufferer, Brecknock, in the following words :—"Sir, it is a happy circumstance that we feel no remorse here." (pointing to his breast) Brecknock replied, "Yes, thank God." He then wrote two or three short letters, received the Sacrament, and spent his few remaining hours in prayer. Late in the evening he walked out to the place of execution, bearing upon my arms; after a short prayer, he took his leave of me, and went off somewhat hastily, thinking at once to put an end to his pain. The rope broke, he started up, and said, "I am come for a few moments longer into the world." He got Dodd's Thoughts in Prison, and read his last prayer with the greatest seeming earnestness of soul. He then ascended a second time, and continued long in prayer, inasmuch, that the Sub-sheriff came several times, urging me to quit him; but he held my hand, and said, "that the noise about him was so great, that he could not get his mind composed as he wished; and that he forgave all his enemies from the bottom of his soul, and wanted to center his affections in God." He at last let my hand go, begging to have five minutes longer time allowed him: the time was promised, but scarcely elapsed when he was thrown off, and launched into eternity. His body was interred yesterday at Turlough, in a plain but decent coffin.

"I have

" I have only to subjoin the following declarations : the one made by Mr. Brecknock, and written by his own hand, when he was engaged in the act of receiving the Sacrament, just before he was carried out to execution ; the other made by Mr. Fitzgerald, after sentence had passed upon him, and a little before he received the Sacrament, and attested by the Clergyman who administered that ordinance to them.

June 12. 1786.

" I now declare, in the presence of the Reverend Mr. John Benton, in the name of Christ Jesus, whom I am now going to meet, and through whose mercy and merits I look for a blessed resurrection, that I am as innocent of the crime of which I have been found guilty, by the verdict of a jury of this country, and not of my own, as the child that is unborn.—So help me Jesus Christ. Amen.

TIMOTHY BRECKNOCK.

" P. S. And I do further declare, that if my dying friend is guilty of the charge of which he was convicted, it was entirely unknown to me."

" Mr. Fitzgerald, after his conviction, most solemnly declared his innocence, and when, by every argument, I had induced him to confess the crime of which he was found guilty, he pressed my hand and said, " Benton, I am innocent of the crime laid to my charge ; if there is a God in Heaven, when I receive the Sacrament

ment at your hands, I will declare the same, and with my latest breath." This declaration was attested by Mr. Benton.

" The Clergyman who attended Fulton at the place of execution, informed me, that he pressed him by every argument, to tell whether Mr. Fitzgerald had given him any orders relative to the murder of Mr. M'Donnel, and that he declared with his dying breath, that Mr. Fitzgerald never gave him any such orders. I met Doran, one of the approvers, who was enlarged this morning, and asked him if his master gave him any orders on the morning of the 21st of February. He told me that he received no private orders, that Mr. Fitzgerald told his men in general, that they were on the King's road, and to be careful of their prisoners. He told me on a former occasion, that he was used in so cruel a manner at the time he was taken prisoner, that he was obliged to make a false affidavit.

" From these hints, I leave you to draw what conclusions seem most natural to you,

And remain,

Dear Sir,

Your obliged, and

Very humble servant,

H. H."

Carramore, June 14, 1786.

F I N I S.

1875

The following is the last Prayer of the late Mr. G. R. Fitzgerald, it was found pinned in a Volume of Dodd's Thoughts in Prison, written in his own hand.

LMIGHTY Lord! vouchsafe to hear the humble prayer of thy afflicted servant. I have sinned, grievously sinned against thee, in thought, in word, and in deed; but thou, O God! knowest the secrets of all hearts, and wilt not into judgment bring thy creature for a crime, of which he stands acquitted in thy sight, although found guilty at an earthly bar.

Thy mercies Lord! are boundless as thy love—and thou hast promised to accept the contrite sinner, through the all-atoning merits of thy only Son. Look on me with an eye of pity, in this mournful hour; and grant me thy especial aid, to meet with Christian fortitude, an undeserved, ignominious death.

Pardon, gracious God! the manifold transgressions of my life—and oh! receive a soul about to take its awful flight into the mansions of eternal rest.

Forgive my enemies—forgive all those who have conspired against my fame, my property, and life; lay not to their charge the blood of thy devoted suppliant—but turn them from their evil ways, and cause them to repent; that at the latter day, they may find favour in thy sight. Teach them hereafter, Lord! to treat with reverence thy glorious name; not falsely to accuse, or falsely swear, through party, prejudice, or pique.

Friends,